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Third Session, 37<sup>th</sup> Parliament

Assemblée législative  
de l'Ontario

Troisième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 25 June 2002

Mardi 25 juin 2002

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers





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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 25 June 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 25 juin 2002

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### LONG-TERM CARE

**Mrs Marie Bountrogianni (Hamilton Mountain):** I wish to bring to the attention of the Legislature a problem that too many of my constituents are encountering. Many Hamilton seniors, like my constituent Marie Clayton, are unable to enter a long-term facility even when spaces become available. After spending two years on a waiting list, many of them are discovering they will not be accepted into a long-term-care residence unless they have an attending physician. As you can imagine, this is causing incredible distress for our frail elderly and their families.

Seniors on Hamilton Mountain are telling me they are unable to find a physician to attend to them, no matter how hard they try. One of the reasons for this is the Ministry of Health's funding formula, which pays a physician significantly less for a visit to a nursing home than a call to a seniors' residence complex.

Another major problem is the overall shortage of physicians in Ontario. For years, we have known we don't have enough doctors, but this government only increased the number of spaces in Ontario's medical schools a year ago. In addition, the Ministry of Health was supposed to accredit 40 foreign-trained physicians this year, but so far it has certified less than 10. With a system like this, is it any wonder doctors are so scarce?

Even many of the fortunate seniors who manage to get a bed are confronted with inadequate conditions. Often, there's not enough nursing time to assist them with eating, change their diapers regularly or give them a bath more than once a week.

Ontario's seniors have contributed a lifetime of hard work to our society. They've played by the rules. They've paid their taxes. Let them live their last years in life with dignity.

#### WATER QUALITY

**Mr Bert Johnson (Perth-Middlesex):** Last Monday evening, June 11, my colleague Bill Murdoch from Bruce-Grey-Owen Sound and I travelled to my riding to attend a council meeting of the town of North Perth in Listowel. The purpose of our visit was to discuss with

council the challenges facing Atwood and Gowanstown particularly, two small hamlets in North Perth, where many residents rely on communal wells for their water. The main issue of concern was how the municipality and the residents could meet the requirements of the new drinking water protection regulations in a reasonable way.

I was pleased to report at that meeting that Ontario's finance minister had just announced \$245 million to help improve the safety of drinking water, including funds to help municipalities upgrade their water systems to meet our tough new standards.

I'd like to thank my colleague Bill Murdoch for taking the time to meet with council and the residents of Gowanstown and Atwood in his capacity as parliamentary assistant to the Minister of Environment and Energy. I'd also like to thank North Perth Mayor Vince Judge, the council and municipal staff for welcoming Mr Murdoch and me to Monday's council meeting.

This is an important issue for rural Ontario and it's one that presents many challenges. I'd like to thank the Premier and the Minister of Finance as well as the Minister of Environment and Energy for recognizing the scope of this problem and for addressing it in the budget. I look forward to continuing to work with them to find the most feasible ways to meet our goal of safe drinking water for all Ontarians.

#### EDUCATION FUNDING

**Mr Dominic Agostino (Hamilton East):** I rise today first of all to commend the Hamilton board of education for standing up to this government in regard to the funding formula.

Last night the board passed a deficit budget, at great risk to themselves individually as trustees, because of a \$16-million shortfall as the result of the inadequate funding formula and being shortchanged by this government when it comes to education funding.

Our schools are in bad shape. We need more computers, more books and smaller classrooms. We have rooms, as I've raised in the House before, where roofs are leaking and kids' desks have to be moved when it rains.

This government does not see fit to properly fund education in Hamilton and across this province. It forces school trustees, who want to do the right thing, who are there for kids, to defy the law and the outrageous legislation this government has put in place to try to bully,



arm-twist and beat up school boards into going along with their crazy funding formula.

The reality is, the Hamilton board drew a line in the sand last night and said, "Enough is enough. The kids are the priority." Wes Hicks, a trustee for ward 8 with 20 years' experience, said it best when he said, "It's time to stand up for the kids." The Hamilton board of education understands that. It understands that funding is a priority for classroom education. This government doesn't understand that. They are not concerned about the level of funding in the schools across this province. They've shoved off the funding formula to some review in November, and God only knows when they're going to change it; maybe in time for the next election.

The reality is that the Hamilton board took a courageous stand. They stood up for the kids in Hamilton. They stood up for quality education. This government doesn't have the guts or the courage to do the same thing.

### VINK FARMS

**Mr R. Gary Stewart (Peterborough):** Today is a special day in my riding of Peterborough for Vink Farms, located near Norwood. Another milestone will be celebrated at Vink Farms, a farming operation that began almost 75 years ago, when a new dairy facility will be opened later on this afternoon.

For the past 10 years, owner Hans Vink has been a board member of Dairy Farmers of Ontario and has been the provincial representative. His herd has been the three-time top production herd in Peterborough county, in 1998, 1999 and 2000.

Some 135 Holstein dairy cows will be milked three times a day within a 19,400-square-foot facility in a state-of-the-art Westfalia-Surge double 8 parallel milking parlour. Today's herd will be housed in a free-standing stall on sand bedding featuring a high-roof canopy and climate-controlled curtain sidewalls for maximum ventilation. Each cow's activity will be monitored by identification leg bracelets every minute of the day to help with production, breeding and health monitoring. To minimize dirty feedage, the cow walk alley has a computer-timed flush system that utilizes earthen manure storages. Environmental concerns, while significantly considered, are felt to be minimal but identifiable, since the fresh water supply for the entire facility is topographically below the two storages.

Please join me in congratulating Hans Vink and his wife, Cathy, in their new business venture and in wishing them continued success for their future in farming.

### ENGLISH CLASSES

**Mr Mario Sergio (York West):** This year, over 130,000 newcomers will make Ontario their new home. Thousands of these newcomers will settle right here in Toronto. New Canadians bring skills and knowledge to our cities and provinces, but without the ability to speak the English language, too many will become under-

employed and marginalized. Adult ESL programs are a vital part of our education system. Newcomers depend on these classes to acquire the language skills that enable them to find meaningful employment and participate in their children's education.

The Toronto District School Board does not receive accommodation grants for adult ESL programs. The board receives no funding to pay for the space occupied by these essential programs.

On behalf of the campaign for stable funding of adult ESL classes, a coalition of organizations seeking improved funding, I want to deliver to the Minister of Education these postcards from students in my community who fear they will be left out in the cold. In your review of the funding formula, Madam Minister, I urge you to ensure quality education and equality of opportunity for Ontario students by improving the funding of adult ESL classes. In doing so, new Canadians will be guided and given the opportunity to become productive citizens of Ontario.

1340

### EDUCATION FUNDING

**Mr David Christopherson (Hamilton West):** I'm proud to stand in my place today and say that I stand shoulder to shoulder with the Hamilton school board trustees, who under the leadership of board chair Judith Bishop took on this government, standing up to you in favour of standing for the kids in Hamilton.

Those nine trustees are to be applauded. The names of those courageous trustees are Ray Mulholland, Wayne Marston, Lillian Orban, Wesley Hicks, Robert Barlow, Bruce Wallace, Ian Thompson and Reg Woodworth. These trustees said to this government, "You're not putting enough money into the system to give our kids the education they deserve," so they stood up to you in favour of those kids in Hamilton who need a decent education.

You centralized power in this province in terms of education in a way that would make Stalin proud and then you expect school board trustees to do your dirty work. You expect them to stand up to Hamiltonians and other citizens across this province and say, "There's not enough money for the kids and we're the ones to blame." Well, that's not going to happen.

Ottawa-Carleton was the first board. Hamilton is the second board. I urge Hamiltonians to call your trustees and tell them you support their stand in support of our kids. For those other communities, call your trustees and fall in behind the leadership shown by Ottawa-Carleton and Hamilton. If everybody sticks together you can beat this government, and our kids deserve no less.

### RENAISSANCE FAIRE

**Mr John O'Toole (Durham):** Mr Speaker, I beg your leave to rise in the House and report on an outstanding event in Durham riding. The third annual Renaissance



Faire took place this past week in Palmer Park in Port Perry. With its minstrels, mimes, buskers, storytellers, artists, craftpersons and a variety of other entertainment, the event offered something for all ages. This was an opportunity to step back in time to the era of lords, ladies, serfs and vassals.

Unfortunately, there is time to mention only a few of the special events. One of these was a celebrity chess challenge featuring the Borelians and the Uxbridge Players, who played the role of live chess pieces. There was Elizabethan swordplay provided by Peter Hurley, and a demonstration of dry stone wall building by John Shaw Rimmington.

A few of the other events were clay sculpting for kids, led by Jane Macintosh; the making of banners under the direction of Jennifer Hardie; and a Raku kiln demonstration, with tea ceremony hosted by Edwin Lougueville. On Sunday there was a coracle building demonstration from Paul Williams, and 16th century folkdance workshops were also part of the pleasant weekend.

The Renaissance Faire is a relatively new attraction, but it demonstrates the diverse variety of history, talent and enthusiasm among Durham residents. There were over 20 sponsors, including the Ontario Arts Council, the township of Scugog, the Scugog Chamber of Commerce and the downtown BIA.

This past weekend in Palmer Park was an age of chivalry that is still very much alive in the community, and I'm sad to say the member from York North was unable to attend.

#### PREMIER OF ONTARIO

**Mr George Smitherman (Toronto Centre-Rosedale):** As this legislative session comes to a close, I want to take this opportunity to remind members and Ontarians about some of the sayings we've been able to use in relation to Ernie Eves.

We talked about Ernie Eves's million-dollar mood swing when he quit one day and ran the next, running up a cost of a million dollars to taxpayers. We said Ernie Eves has more positions than the Kama Sutra on certain issues. He's like nailing Jell-O to the wall. And we're reminded today of the extent to which this guy will change his mind on any given day. He is trying to use confusion and make it seem like a strategy.

Earlier today this Premier, who last week said that tax cuts should be delayed, said that the delay may be cancelled in the fall. If we needed any more evidence of the extent to which that guy, Ernie Eves, is willing to use confusion to create the impression that he knows what he's doing, we had it from that guy today.

Instead of talking about bringing forward these tax cuts in the fall, maybe he should stand in his place and say that he won't liquidate, that he won't have a fire sale and liquidate the 49% of Hydro One that he proposes to do.

Those guys are so desperate to hang on to power, they will do and say anything.

#### MATTAWA VOYAGEUR DAYS

**Mr AL McDonald (Nipissing):** I'd like to personally invite everyone to Mattawa Voyageur Days, July 25 to 28. The town of Mattawa is located 45 minutes east of North Bay. This festival has so much to offer everyone, including a kids' fishing derby, fun in the sun, the Eau Claire Gorge guided tour, dam tour, golf tournament, Christmas in July turkey dinner, North Bay to Mattawa canoe race, lumberjack contest, dragon boat races, antique car shows, fireworks, tremendous concerts such as Diane Chase, Michelle Wright, Glass Tiger, Rik Emmett, Kim Mitchell, Ray Lyell and the Storm, Lighthouse and many more.

Wristbands are now on sale, \$20 in advance or \$25 at the gate. I would like to congratulate and thank Mayor Dean Backer, Jacques Begin and the committee and all the volunteers who make this festival a great attraction in the Nipissing region. For further information you can visit us at [www.voyageurdays.com](http://www.voyageurdays.com) or phone 1-800-267-4222.

#### *Interjection.*

**Mr McDonald:** I'd like to repeat that number for the member from James Bay: 1-800-267-4222.

#### VISITORS

**Mr AL McDonald (Nipissing):** On a point of privilege, Mr Speaker: We have four guests who drove down from the city of North Bay. It's their first time here at the Legislature, and I'd like to introduce them: Marc Long, Khouri Abdallah, Chris and Paul Lamont. Welcome.

**Ms Marilyn Mushinski (Scarborough Centre):** On a point of order, Mr Speaker: I'm very pleased to announce that we have some very special ESL students here from Cedarbrae Collegiate up in the west gallery.

**The Speaker (Hon Gary Carr):** We also have joining us in the Speaker's gallery today four Ontarians here to receive the internationally recognized l'Ordre de la Pléiade award for outstanding contributions to French-speaking communities. With us today are Monsieur Roger St-Louis, Yvon St-Arnaud, Madame Manon LePaven and Monsieur Edmond Chauvin. Please welcome our honoured guests.

#### MEMBERS' EXPENDITURES REPORT

**The Speaker (Hon Gary Carr):** I beg to inform the House that I have today laid upon the table the individual members' expenditures for the fiscal year 2001-02.

#### STATUS OF BILL 122

**The Speaker (Hon Gary Carr):** Yesterday the member for Prince Edward-Hastings introduced Bill 122, An Act to amend the Ontario Disability Support Program Act, 1997 to empower the Integrity Commissioner to determine the level of income support.



I have reviewed the bill and find that it is substantially similar to the MPP Compensation Reform Act, Bill 82, of last session. Mr Parsons's bill duplicates the mechanism in Bill 82 to authorize the Integrity Commissioner to consider the level of and recommend increases in support payments. Such increases, if recommended, would be mandatory and automatic and would represent a direct allocation of public funds.

Given the great similarity of this bill with Bill 82, the fact that Bill 82 was proposed by a minister of the crown and was accompanied by the Lieutenant Governor's recommendation, I find that Bill 122 is in fact a money bill and, as standing order 56 stipulates, may only be proposed by a minister of the crown.

I have therefore directed that Bill 122 be removed from the Orders and Notices paper.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON GENERAL GOVERNMENT

**Mr Norm Miller (Parry Sound-Muskoka):** I beg leave to present a report from the standing committee on general government and move its adoption.

**Clerk at the Table (Ms Lisa Freedman):** Your committee begs to report the following bill with amendment:

Bill 58, An Act to amend certain statutes in relation to the energy sector / *Projet de loi 58, Loi modifiant certaines lois en ce qui concerne le secteur de l'énergie.*

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1351 to 1356.*

**The Speaker:** All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Amott, Ted	Guzzo, Garry J.
Baird, John R.	Hardeman, Ernie
Barrett, Toby	Hastings, John
Beaubien, Marcel	Hodgson, Chris
Chudleigh, Ted	Jackson, Cameron
Clark, Brad	Johns, Helen
Clement, Tony	Johnson, Bert
Coburn, Brian	Klees, Frank
Cunningham, Dianne	Martiniuk, Gerry
DeFaria, Carl	Maves, Bart
Dunlop, Garfield	Mazzilli, Frank
Elliott, Brenda	McDonald, AL
Eves, Ernie	Miller, Norm
Flaherty, Jim	Molinari, Tina R.
Gilchrist, Steve	Munro, Julia
Gill, Raminder	Mushinski, Marilyn

Agostino, Dominic  
Bartolucci, Rick  
Bisson, Gilles  
Bountrogianni, Marie  
Boyer, Claudette  
Brown, Michael A.  
Bryant, Michael  
Christopherson, David  
Cleary, John C.  
Colle, Mike  
Conway, Sean G.  
Cordiano, Joseph  
Crozier, Bruce

#### Nays

Curling, Alvin	Martin, Tony
Di Cocco, Caroline	McLeod, Lyn
Dombrowsky, Leona	McMeekin, Ted
Duncan, Dwight	Parsons, Ernie
Gerretsen, John	Patten, Richard
Gravelle, Michael	Peters, Steve
Hampton, Howard	Phillips, Gerry
Hoy, Pat	Prue, Michael
Kormos, Peter	Pupatello, Sandra
Kwinter, Monte	Ramsay, David
Lalonde, Jean-Marc	Ruprecht, Tony
Levac, David	Sergio, Mario
Marchese, Rosario	Smitherman, George

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 46; the nays are 39.

**The Speaker:** I declare the motion carried. Pursuant to the order of the House dated June 10, 2002, the bill is ordered for third reading.

## INTRODUCTION OF BILLS

### NIAGARA HEALTH SYSTEM ELECTIONS ACT, 2002

#### LOI DE 2002 SUR LES ÉLECTIONS AU SEIN DU SYSTÈME DE SANTÉ DE NIAGARA

Mr Kormos moved first reading of the following bill:

Bill 114, An Act to provide for the election of members of the Board of Trustees of the Niagara Health System / *Projet de loi 114, Loi prévoyant l'élection des membres du conseil d'administration du Système de santé de Niagara.*

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. Carried.

The member for a short statement?

**Mr Peter Kormos (Niagara Centre):** The Niagara Health System was imposed upon Niagara region by this government's restructuring of our health system and hospitals. This bill provides that at least 12 of the trustees of the Niagara Health System are to be elected to represent the area municipalities of the regional municipality of Niagara, providing for democracy, direct representation and accountability.

1400

### CHILD AND FAMILY SERVICES AMENDMENT ACT, 2002

#### LOI DE 2002 MODIFIANT LA LOI SUR LES SERVICES À L'ENFANCE ET À LA FAMILLE

Mr Bartolucci moved first reading of the following bill:



Bill 130, An Act to amend the Child and Family Services Act to allow one Children's Aid Society access to information held by another Children's Aid Society / *Projet de loi 130, Loi modifiant la Loi sur les services à l'enfance et à la famille afin de permettre à une société d'aide à l'enfance d'avoir accès aux renseignements détenus par une autre société d'aide à l'enfance.*

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Rick Bartolucci (Sudbury):** Thank you very much, Speaker, for a very short statement. This bill amends the Child and Family Services Act to fill a loophole presently in the act which denies access to or transfer of information. This has had tragic consequences on certainly several cases across this province. I highlight the Gravel case, which is an ongoing public case that certainly would not have reached the stage it's at now had this amendment been in place.

## MOTIONS

### STANDING COMMITTEE ON PUBLIC ACCOUNTS

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I move that the standing committee on public accounts be authorized to adjourn to St John's, Newfoundland and Labrador, to attend the 23rd annual conference of the Canadian Council of Public Accounts Committees.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### CANADA DAY

**Hon Carl DeFaria (Minister of Citizenship, minister responsible for seniors):** It is my great pleasure and privilege to rise in the House today to speak to Canada Day 2002. Personally, this is a very special Canada Day. I was recently appointed Minister of Citizenship by Premier Ernie Eves, a position that brings me closer to the diverse community organizations and individuals I have been working with for many years.

Since the day that I arrived in this country as a young man from Portugal, I have been deeply honoured to be a part of this country and of the great province of Ontario. Ontario is a province of promise and opportunity, a province where human rights are respected and protected, where a young man's dream can become a reality. I am forever grateful.

I know my colleagues can all agree that we live in the best province and in the best country in the world. Ontario's status within Canada is secure. Our economic strength has helped us create a great quality of life for Ontarians.

As a government, we are continuing to work hard to strengthen Ontario's economy and create more jobs. Ontario receives nearly 60% of all immigrants to Canada, almost 150,000 this last year. By 2016, Ontario is expected to grow to nearly 14 million. Ontario is the choice of many newcomers to Canada because Ontario is a province of promise and opportunity.

This government is committed to helping skilled newcomers enter the labour force quickly and to become full participants in the Ontario economy. For me, and for millions more who have settled here, Ontario has met its promise and more, and I know that other newcomers to Canada feel the same way.

I think we can all agree that Canada and the province of Ontario are amazing places to live, work and raise a family. The United Nations has named Canada as one of the best places in the world to live.

The ideals of Canada Day go to the very notion of the society we should be creating in this country, a society where diversity is embraced, where every member of society is treated with respect, a society in which all of our children know they are valued members. Canada Day is important for all of us because it is vital that we remember where we have been and how far we have come.

It is also a chance to do more. It is the renewed opportunity for us to consider the kind of society we live in and to make it better for everyone. Now more than ever, we must take steps to ensure that Canada remains a land of promise and opportunity.

This is the kind of province we are working hard to build. I know that government members are with me in trying to realize this dream for Ontario.

On a final note, I want to invite all members of this House to join me on the front lawn of the Legislature at Queen's Park on July 1, Canada Day. We are expecting thousands to take part in the fun at our annual Canada Day celebrations from 11 am to 5 pm, so please join us as we commemorate the 135th birthday of our great nation.

**Mr Tony Ruprecht (Davenport):** It is absolutely true that our forebears built a country that's the envy of the world. It is also true that the United Nations for more than four years in a row has said that we are the best place in which to raise a family and in which to live.

But upon this minister's shoulders is a grave responsibility, and that is to maintain that which we have. Right now, as we speak, we have the danger of losing that distinction of being the best country in the world. I'll tell you why.

There are certain categories the United Nations looks at when it makes these adjustments, when it makes these judgments. One of the categories is a good health care system. Our critics, Sandra Pupatello and Lyn McLeod, will tell you that you've closed hospitals. The lineups are

longer. You've let nurses go and not rehired them. We are in danger.

Our education critic, Gerard Kennedy, will tell you that you have closed schools and you have closed swimming pools. In addition, you have also fired nearly a quarter of all music teachers. They have disappeared from the classroom. Despite an increase in immigration, the number of schools with ESL programs has dropped 31%. We are in danger.

Our transportation critics, Mike Colle and Pat Hoy, will tell us Toronto is gridlocked and we are in danger. Your government has to ensure that there will be enough money and funding for transportation, and I'm speaking about public transportation. You need the money.

Our energy critics, Sean Conway and Michael Bryant, will tell you about the boondoggle in the energy system. You are about to sell part of Hydro, our crown jewel right here in Ontario. We are in danger.

1410

What about affordable housing? Our critic for housing, Mr Dominic Agostino, will tell you there is no affordable housing in Toronto. You haven't built any. We are in danger.

Finally, let me simply say this about your statement that this government is committed to helping skilled newcomers enter the labour force quickly and become full participants in the Ontario economy. I want to tell you, that too needs improvement. We are also in danger.

Why is it that we have right now very skilled workers—doctors, lawyers, accountants and all those who have been foreign-trained with great educational backgrounds—driving taxis, cleaning restaurants, delivering pizzas? It surely cannot be this Canada and this Toronto, Ontario, that this minister is speaking about. We are in danger.

Upon your shoulders is the responsibility to try to ensure that you bring back this Ontario, that you bring back this country to its former glory. You have that responsibility, and if you don't do it, even though you might think it's funny, McGuinty and the Liberals are ready to take that challenge into the future.

We are in danger. We are in danger of losing this great status that the United Nations has bestowed upon us. I simply say to you, on behalf of the Liberal caucus and Dalton McGuinty, long live this free Canada and God save the Queen.

**Mr Rosario Marchese (Trinity-Spadina):** I want to join the—

*Interjections.*

**The Speaker (Hon Gary Carr):** Take your seat. We will start over.

**Mr Alvin Curling (Scarborough-Rouge River):** On a point of order, Mr Speaker: I just want to take a second to say that my colleague from Parkdale has spoken so eloquently of that danger. Let's make sure we don't lose that. Let's have Canada ruling as he talks about. Long live Canada.

**The Speaker:** The member for Trinity-Spadina.

**Mr Marchese:** I want to join the Minister of Citizenship in celebrating Canada Day and in celebrating the statement he has made and his remarks about immigrants. This is a country and a province of immigrants—we all know that—and they work hard. It's a country where these immigrants, each and every one, in the past, those who are coming and those who will come, come to work hard. Why? Because, as the Minister of Citizenship said, this is a place where a young man's dream can become a reality. That is true. For many immigrants, that in fact has been the case.

**Mr Peter Kormos (Niagara Centre):** Young men and young women.

**Mr Marchese:** Young men and young women. He meant it generically, I'm sure, the royal "we."

But it is also true, I would say to the Minister of Citizenship, that it hasn't worked for everybody, not all of the time. You will probably admit that. While people work hard and make an honest living and some do well in this society and in this economy, there are some who are not so lucky and so fortunate. Those who work for minimum wage come to mind. It is true that those who work for \$6.85 an hour probably are not so happy with that wage, and that's why New Democrats believe that in order to give young men and women the opportunities they desperately want and need, we should help out a little bit. We should increase the minimum wage, because that's part of economic justice, it's part of a struggle for fairness, and we are committed to that struggle; we think you are too. But if you are, you should help out and deal with the issue of minimum wage.

The issue of access to trades and professions has been mentioned, so I won't belabour that. But it is true that many immigrants bring a great deal of cultural capital that we're not using. We're wasting it in fact. If we only tapped into it, we could use it in those areas where we have desperate shortages, like doctors. Many of the immigrants who come here are doctors but, as I say, you are not tapping into that resource, and you should.

Our strength in this country is our diversity. Diversity is strength. We have a great deal of cultural capital that we should be investing in. We should be investing in those languages that people bring. So many linguistic communities bring a second language and, rather than suppressing it, we should invest. We should invest and support those boards of education that are providing the learning of third languages. We support English and French but we should support third languages as well. Why do we believe that? Because we all support a globalized economy; because this is a global village.

**Mr Gregory S. Sorbara (Vaughan-King-Aurora):** You don't support a globalized economy.

**Mr Marchese:** Well, Liberals are strongly supportive of a globalized economy.

I say it is indeed a global village, and in that respect we should be investing in the learning of third languages. Not only is it psychologically good and pedagogically sound but it makes sense economically that we should invest a couple of dollars in those boards of education



that are providing second, third and fourth languages. So I say that our diversity is our strength but we need to put some money into it.

I say to you as well that socially this is one of the most beautiful countries in the world. Where else do you have over 120, 130 different linguistic and racial communities settling than in this country and this province? Where else except in this country?

**Mr Sorbara:** New York City.

**Mr Marchese:** New York City is a good, beautiful city too—very global indeed. Canada is equally as beautiful and as great. The day that we begin to cross-culturally marry, as indeed is happening, when the day comes when everyone in this province and this country feels good to marry across cultures, it will indeed be the most beautiful country in the world. And we're getting there.

*Interjection.*

**Mr Marchese:** I'm saying to you, Minister of Citizenship, that it's happening, and it will in the future. We will see more cross-cultural marriages than ever before. I say that is a beautiful thing we are witnessing in this country.

I know many people on July 1 will celebrate being Canadian, happily celebrating our diversity and pride in being Canadian. I know, Minister of Citizenship, that many across this country and this province will join you in celebrating what we value so much, and that is our diversity as Canadians.

## ORDER OF BUSINESS

**Hon John R. Baird (Associate Minister of Francophone Affairs):** Mr Speaker, I seek unanimous consent to move a motion with respect to certain government business and this evening's sitting. Could I read the motion first, if that's possible?

I move that orders G80, G81 and G86 be called immediately; and

That upon the questions being put, if recorded divisions are requested, they be deferred until the routine proceeding "Deferred votes" on Wednesday, June 26, 2002; and

That, notwithstanding the order of the House dated June 24, 2002, when the House adjourns at 6 pm today, it stand adjourned until 1:30 pm on Wednesday, June 26, 2002.

**The Speaker (Hon Gary Carr):** Does the motion carry? Agreed.

## HYDRO ONE INC. DIRECTORS AND OFFICERS ACT, 2002

### LOI DE 2002 SUR LES ADMINISTRATEURS ET LES DIRIGEANTS DE HYDRO ONE INC.

Resuming the debate adjourned on June 18, 2002, on the motion for second reading of Bill 80, An Act respecting directors and officers of Hydro One Inc. and its subsidiaries / Projet de loi 80, Loi concernant les

administrateurs et les dirigeants de Hydro One Inc. et de ses filiales.

**The Speaker (Hon Gary Carr):** Pursuant to the order of the House dated June 19, 2002, I am now required to put the question.

On June 13, Mr Gilchrist moved second reading of Bill 80. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

Pursuant to standing order 28(h), there's been a request that the vote on Bill 80, An Act respecting directors and officers of Hydro One, be deferred until June 26, 2002.

1420

## NUTRIENT MANAGEMENT ACT, 2002

### LOI DE 2002 SUR LA GESTION DES ÉLÉMENTS NUTRITIFS

Mrs Johns moved third reading of the following bill:

Bill 81, An Act to provide standards with respect to the management of materials containing nutrients used on lands, to provide for the making of regulations with respect to farm animals and lands to which nutrients are applied, and to make related amendments to other Acts / Projet de loi 81, Loi prévoyant des normes à l'égard de la gestion des matières contenant des éléments nutritifs utilisées sur les biens-fonds, prévoyant la prise de règlements à l'égard des animaux d'élevage et des biens-fonds sur lesquels des éléments nutritifs sont épandus et apportant des modifications connexes à d'autres lois.

**The Speaker (Hon Gary Carr):** Pursuant to the order of the House dated June 20, 2002, I'm now required to put the question.

Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Pursuant to standing order 28(h), there has been a request to defer the vote, so the vote will be deferred until June 26.

## RESCUING CHILDREN FROM SEXUAL EXPLOITATION ACT, 2002

### LOI DE 2002 SUR LA DÉLIVRANCE DES ENFANTS DE L'EXPLOITATION SEXUELLE

Mr Stockwell, on behalf of Mr Young, moved third reading of the following bill:

Bill 86, An Act to rescue children trapped in the misery of prostitution and other forms of sexual exploitation and to amend the Highway Traffic Act / Projet de loi 86, Loi visant à délivrer les enfants prisonniers de la

prostitution et d'autres formes d'exploitation sexuelle et modifiant le Code de la route.

**The Speaker (Hon Gary Carr):** Pursuant to the order of the House dated June 24, 2002, I'm now required to put the question.

Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

I've been given notice under standing order 28(h) to defer the vote until June 26.

## ORAL QUESTIONS

### EDUCATION FUNDING

**Mr Dalton McGuinty (Leader of the Opposition):** I have a question to the Minister of Education. Minister, every day now we're getting another example of how your government is failing Ontario's students. We've heard from parents of children with special learning needs whose needs are going unmet. Yesterday we learned that 70% of students in the applied stream did not pass the literacy test, which means you're putting these young people at risk of dropping out.

We continue to learn that board after board is telling you they simply cannot both balance their budget and deliver on their important obligation to ensure that children are having all of their educational needs met. Boards are telling us that more cuts are translating into fewer teachers, fewer psychiatrists, fewer ESL staff and bigger classes. More and more Ontario boards, as you will recognize, are now standing up for students. Ottawa, Toronto and now Hamilton trustees are saying that if they've got to choose, they're putting kids first.

My question to you on behalf of Ontario's students is, when are you going to start to put them first?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** Contrary to what the Leader of the Opposition has stated, we have actually increased each year the funding for students in the province of Ontario. I am pleased to say that this year there was an increase from \$13.86 billion to \$14.26 billion. That is a 2.6% increase on an enrolment growth of only 0.4%.

We have continued to address the needs of students. Our funding formula makes sure that students, no matter where they live, have equal access and receive the same financial support anywhere in the province of Ontario.

**Mr McGuinty:** Maybe you haven't noticed, Madam Minister, but school board deficits are popping up around this province like mushrooms. London tonight is facing its decision time. The Thames Valley District School Board can either slash \$15 million or not balance their budget. Slashing \$15 million means they're going to lose 12 special-ed teachers, two psychologists and nine speech and language staff. It also means the loss of a special busing program that brings high school students

in from neighbouring rural communities for special-ed programs they can't access in their own communities.

I'm hoping that you're beginning to understand the urgency of the situation here, Madam Minister. Boards, parents and children are looking for a champion of public education. Instead, what they have is somebody who is committed to putting half a billion dollars into private schools.

I am asking you again, why is it you continue to fail Ontario's students?

**Hon Mrs Witmer:** Once again, the Leader of the Opposition has his facts incorrect. We have not put half a billion dollars into private schools, and he knows full well that we have not done so. However, I am very pleased to say that we have announced in the last few months an additional \$556 million despite the fact that many boards in the province are actually seeing a decrease in enrolment, and that is indeed the case with the Thames Valley District School Board.

**Mr McGuinty:** Madam Minister, you seem reluctant to admit a couple of things. First of all, you took close to \$2 billion out of public education in Ontario. Secondly, while you may not yet have put half a billion dollars into private schools, you are telling me that commitment of yours is solemn and unwavering. That's the real issue here.

Here's what Hamilton trustee Wes Hicks said last night: "It is time to stand up for the kids. I have seen the deterioration of our schools, staffing reductions, cuts everywhere. This system has taken enough. A balanced budget will hurt our system." What you are doing, Madam Minister, is balancing school board budgets on the backs of our children. I think that is wrong. I think the right thing to do is to ensure all of our children today, especially in a knowledge-based economy, are having all their learning needs met. I ask you again, why is it that you continue to fail Ontario's students?

**Hon Mrs Witmer:** I can't believe the Leader of the Opposition continues to deny the fact that we have added over half a billion dollars in education spending in the last two months. In fact, if we take a look at the Hamilton-Wentworth District School Board, we have increased their spending by \$7.5 million, to over \$368 million, an increase of 2.1% based on an enrolment that is expected to decline by 0.1%, and they have \$11.1 million in flexible funding.

I would just remind the Leader of the Opposition that when you were in power between 1985 and 1990, you made a commitment to increase the share of provincial funding to 60%. I regret to say that not only did you not increase it to 60%, but it actually slipped from 46.6% to 44.9%. That's how Liberals keep their promises.

1430

### LONG-TERM CARE

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Premier. Our seniors are not getting the care and the attention they need in your Ontario. They



are not getting the care and attention they need in our long-term-care facilities. Residents in Ontario long-term-care facilities are getting just one bath per week. Last month some 20 angry residents from the Leisureworld facility in North York came to Queen's Park, and each and every one of those 20 said they were only getting one bath a week.

I'm asking you, is this the standard you would have us aspire to for our parents and our grandparents? Do you think it is right that they are entitled to one bath a week?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I think the Associate Minister of Long-Term Care can respond.

**Hon Dan Newman (Associate Minister of Health and Long-Term Care):** Our government remains committed to ensuring that all residents of long-term-care facilities live in a safe environment and are indeed treated with dignity, respect and the highest level of care.

Our primary concern is for the residents of long-term-care facilities. We take the concerns expressed about compliance very seriously. The Ministry of Health and Long-Term Care's comprehensive long-term-care facility manual sets out the operational requirements for all facilities.

If the Leader of the Opposition has a concern about a compliance issue or with respect to any piece of legislation in the ministry or a regulation pertaining to a long-term-care facility, there are three options he can take: he can launch a complaint with the facility administration; he can launch a complaint with the local community care access centre; or he can launch a complaint with the appropriate regional office of the Ministry of Health and Long-Term Care. All formal complaints will be followed up by one of the 42 compliance advisers within the ministry. Each and every complaint about a long-term-care facility is investigated by ministry staff.

**Mr McGuinty:** There were 20 parents and grandparents who came here just last month and told you that they're getting only one bath a week.

If you are convicted of first-degree murder today in Ontario and sentenced to 25 years without parole, do you know how many baths you are entitled to? One a day. In a provincial institution, you will also get one bath a day.

I ask you again: do you really believe these are people who broke the rules? I'm talking about our parents and grandparents, who played by all the rules, paid their taxes, raised their families and now find themselves in a position where they need help. Why can you justify a bath a day for a felon but one a week for our parents and grandparents?

**Hon Mr Newman:** Obviously, we are concerned about any reports suggesting there's a violation of any act pertaining to the ministry or any policies governing long-term-care facilities. That's why the long-term-care facility manual and the acts which govern long-term-care facilities in our province speak to the obligations of a facility to ensure that residents' daily needs and their activities of daily living are met; that means walking, eating, bathing. In fact, section B3.52 of the long-term-

care facility manual states that each resident's hygiene and grooming care shall meet his or her needs and shall consider his or her preferences whenever possible. In other words, should there be a need for increased personal care, the resident care plan would reflect this need and give clear direction to staff accordingly.

**Mr McGuinty:** Our parents and our grandparents who find themselves in long-term-care facilities today in Ontario find themselves in trouble because you, Mr Minister, and you, Mr Premier, are failing to take an active interest in their welfare. You just can't ride around in your limo and wait for our parents and grandparents, many of whom suffer from dementia, to register some kind of concerns and file some kind of formal complaint that is somehow supposed to trickle up to you before you're going to begin to act.

They're getting one bath a week. You should be ashamed of that. You should be doing whatever you can, breaking down all the barriers. Where the hell is your Red Tape Commission now, when it comes to ensuring our parents and grandparents are getting more than one bath a week?

You've known about this for a long time now. I ask you, Mr Minister: what are you going to do for our parents and grandparents, people who played by all the rules, paid their taxes, raised their families and find themselves in need of care? What are you going to do for them?

**Hon Mr Newman:** That's why, with long-term-care facilities, we have announced 20,000 new long-term-care beds being built in this province; a \$1.2-billion commitment to our seniors; home care funding up by—

*Interjection.*

**The Speaker (Hon Gary Carr):** Order. The member for Kingston and the Islands, come to order, please. Associate Minister?

**Hon Mr Newman:** Home care funding is up by 70% since 1994-95; nearly \$1.2 billion for community care access centres for home care; a new placement regulation to get seniors who are on waiting lists for long-term-care centres into those facilities quicker; the \$1.2-billion investment with the 20,000 new beds; and in the budget this past week, \$200 million for long-term care. That's going to help with the resident care component as well as with the expansion of the beds.

The member opposite ought to know that in 1995, when his party was the government, there was not one investigation into a long-term-care facility in this province.

## HYDRO RATES

**Mr Howard Hampton (Kenora-Rainy River):** I have a question for the Premier. Yesterday, the Independent Electricity Market Operator said that backup electricity supplies will fall to dangerously low levels in July and August and again from October to December. The Independent Electricity Market Operator warns that higher hydro rates are inevitable as a result.

My question to you, Premier, is, will you stop your hydro deregulation scheme now, before consumers, businesses and industries are hit with electricity shortages and higher hydro prices?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** There is not going to be an electricity shortage and higher and higher prices.

**Mr Hampton:** Premier, the Independent Electricity Market Operator continues to put out statements telling Ontarians just that, and they're the people who are actually doing the surveys.

Your budget says that you intend to sell off more of our hydro generating stations. That will make the situation worse, because your hydro deregulation scheme lets the most expensive bid accepted to supply hydro set the price. That means that if your corporate friends on Bay Street get their hands on the coal-fired generating stations, they will send hydro rates through the roof.

Premier, again I ask you, before hydro prices go any higher, before we face those shortages of supply, will you stop your hydro privatization and deregulation scheme, before you put Ontario's economy at risk and the personal health of our citizens at risk?

**Hon Mr Eves:** That is not what the IMO has said at all. They have said that prices are established on market supply and demand. They expect that prices will fluctuate. I'm sure the honourable member is aware that prices are remaining below—even last Sunday, which was the hottest day on record for June 23, the average price was 3.38 cents per kilowatt hour on that date. That is far below the guaranteed price by OPG of 3.8 cents, and far below the disaster that you've been predicting for the last many months. You haven't been right yet.

The reality is, competition in the marketplace does work. It will be fluctuating up and down, obviously, as energy needs go up and down. With respect to shortages, the IMO states that energy production capacity and capability is generally expected to be well above demand levels each month for the outlook period, being the next 18 months.

**Mr Hampton:** So said spokespersons in California for about eight months.

Today the Ontario Electricity Coalition also released a new poll. The number of people opposed to your dirty deal to privatize our hydro continues to increase. Now more than 72% of Ontarians oppose hydro privatization. That means you're offside with three out of four people in Ontario. You and your Bay Street friends are trying to take people in a direction they don't want to go. Premier, it's a simple question: will you listen to the people of Ontario and stop your dirty deal to sell off our hydro resources?

**Hon Mr Eves:** There is no dirty deal to sell Hydro One. In fact, we have committed that the government will maintain control of the Hydro One entity.

1440

## URBAN ISSUES SUMMIT

**Mr Howard Hampton (Kenora-Rainy River):** As you know, there is a Toronto summit happening over the next few days. We heard yesterday from your government spokesperson that your government really doesn't have a position. You don't have anything to take to the summit. We understand the Liberals want to study the problem.

Premier, since you don't have a strategy of your own, let me suggest to you some ideas that we want to put forward. Since you have downloaded the cost of social housing without any revenue, since you have downloaded many of the costs of urban transportation, and transportation in general, without any revenue, how about transferring part of the land transfer tax? How about providing some of the gasoline tax to municipalities so they can get to work dealing with issues like affordable housing and urban transit? Would you do that, Premier?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I'm sure the Minister of Municipal Affairs and Housing, who is attending the summit, would like to respond.

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** The minister of urban affairs is also going to be at the summit. We welcome these ideas, this exchange of ideas. I'm looking forward to new ideas that come out of the summit. I would like to say that the third party has been interested in urban issues for a long time. I've read their suggestions. At least they put them on paper. The Liberals want to study it, like you've said in your preamble. I'm looking forward to seeing their ideas.

We've also set up, as you know, a growth panel chaired by Hazel McCallion, because Toronto fits into a larger region, and it's always been the province's historic position to make sure Toronto remains strong and to work with our partners.

**The Speaker (Hon Gary Carr):** Supplementary? The member for Beaches-East York.

**Mr Michael Prue (Beaches-East York):** I thank you for having read our urban vision, Mr Minister. In that urban vision, we have addressed affordable housing as one of the key components. However, the deal you have signed with the federal government you've done on the backs of the municipalities, on the backs of the churches, on the backs of the charities. You have contributed as a province and as a government almost nothing toward the monies for affordable housing.

We believe we can build some 8,000 units in Ontario of affordable housing and another 1,800 of supportive housing for the homeless on our streets by dedicating part of the land transfer tax. Why not commit yourself to a real deal by giving cities the money from the land transfer tax so that they can build the affordable housing and so that our homeless can get off the streets?

*Interjections.*



**Hon Mr Hodgson:** I'm not sure—it's so noisy in here, I couldn't hear the question. I could ascertain, by the thumping across, that he was talking about affordable housing. For this member to ask a question on affordable housing really pushes the envelope in terms of nerve. Did you ever figure out with your special tax on multi-res apartments in Toronto, where you raised the tax rate four times, what it is if you paid for a condo versus an apartment? It works out to over \$200 an apartment unit. You went out of your way to vote for that. Have you ever counted how many people you threw out of their apartment or denied the opportunity to have affordable housing because of your actions when you were on council?

### HOME CARE

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Minister of Health. Three weeks ago, you had the opportunity to meet Marlo Leatham and her family. Marlo, as you will remember, is a 13-year-old—

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. We'll let the member speak. The leader of the official opposition has the floor now. You can start over. I apologize to the leader of the official opposition.

**Mr McGuinty:** To the Minister of Health, a few weeks ago, in fact three weeks to the day, you were introduced to Marlo Leatham, a 13-year-old London girl who has cerebral palsy and suffers from spastic quadriplegia. As you know, she can't walk, she can't dress herself, she can't even roll over. You cut her home care to 15 hours a week from the original of 54. Her parents came all the way to Queen's Park, looking to you for help. You assured them that within some 24 to 72 hours you would have an answer for them when it came to long-term help. The House is rising in two days. The Leathams wrote to you some 18 months ago. They have spent \$10,000 on lawyers' fees, going through an appeal process. They're now looking to you.

I need an answer on behalf of the Leathams today. I need your assurance by the end of this day, Minister. You told them 72 hours some three weeks ago; it's now been three weeks. They need an answer today. I need your commitment, sir, that you will provide an answer to the Leathams with respect to their need for Marlo for long-term help.

**Hon Tony Clement (Minister of Health and Long-Term Care):** I can inform this House that since this issue was last raised in the Legislature, we have had a short-term solution as a post-operative period for the individual involved. Certainly discussions are ongoing for the longer-term solution, but for the next several weeks, there is a short-term solution, which is now being used to deal with the short-term issues as we work out a longer-term solution.

**Mr McGuinty:** Minister, I'm going to be blunt with you: the Leathams do not trust you. Their short-term solution, as you call it, is up in some two weeks. The

House is going to rise in some two days. They are concerned you're going to renege on your commitment. They've asked me to ask you to give them a commitment today, by the end of the day. After all, as I just said a few moments ago, they wrote to you some 18 months ago and you did nothing. They spent \$10,000 on lawyers—not on home care—trying to appeal your process. They had to come here to meet with you to try to embarrass you into doing something. You gave them an assurance you would fix this within some 24 to 72 hours. It's been three weeks.

I'm asking you again, on behalf of the Leatham family, can you agree that you will, by the end of the day today, come up with some long-term solution for Marlo Leatham?

**Hon Mr Clement:** I'm heartened that the honourable member acknowledged in his supplementary question that in fact we have a short-term solution that carries the family through for the four weeks after the operation, which he did not include in his opening question.

Having said that, I will repeat for the honourable member's edification and, more importantly, for this House that in fact we do have, as I say, a multi-week, a four-week, solution that is in place that was put in place, I would say, fairly quickly and to the satisfaction of the family. I'm not trying to speak on their behalf, but that was what I was led to believe. Certainly we, in the intervening days we have left, are working on the long-term solution. That's all I'm prepared to say at this time.

### BIG TICKET LOTTERY

**Mr Frank Klees (Oak Ridges):** My question is to the Attorney General. Two weeks ago, Attorney General, I brought to your attention the matter of the Big Ticket Lottery. The concern was that the Ontario Lottery and Gaming Corp was effectively in competition with charities in this province. You undertook to meet with representatives of the lotteries at that time. I predicted to the House that, in your good wisdom, you would then take the steps and direct the lottery corporation to get out of this business and to stop competing with charities, who are having a difficult enough time as it is.

Can you confirm for us today what steps you are taking, and that you, in fact, have given direction for the lottery corporation to get out of this business?

**Hon David Young (Attorney General, minister responsible for native affairs):** I thank the member for bringing this matter forward, not just today, but as he has in the House previously and as he has informally on many occasions.

As the member—

*Applause.*

**Hon Mr Young:** Yes, I think applause is in order.

As the member indicated, I did have an opportunity to meet with a number of the charities involved. I met with the Princess Margaret Hospital Foundation, the Heart and Stroke Foundation, the Canadian Cancer Society and the Canadian National Institute for the Blind.

Perhaps more importantly, what I did was I listened. I listened and I considered what they had to say. I considered the fact they were concerned that the operation of the Big Ticket Lottery was in some way, shape or form interfering with their own fundraising efforts. As a result of that and after conferring with many of my colleagues, the OLCG and my predecessor, Minister Hudak, a decision was made to not continue the Big Ticket Lottery.

**Mr Klees:** I want to commend the Attorney General first of all for listening, and second and most important, for taking the action he did.

Attorney General, I'm pleased, as I'm sure all charities in this province are, at the action you've taken. What concerns me is tomorrow, the next day and the next time a creative idea comes out of the Ontario Lottery and Gaming Corp that may well once again put them into competition with charities.

Can you tell us what steps you're taking to ensure that this type of competition will not come against our charities in this province again?

**Hon Mr Young:** Indeed, what we have done is we have established a dialogue with these very important institutions and organizations. I want to say to you, on behalf of the Ernie Eves government, we support their efforts. They perform very important work in our society, they help individuals who are in many respects the most vulnerable individuals who have health challenges, and we as a government are there to assist them because, indeed, they are assisting Ontarians.

We have established a dialogue with them. We have indicated to them we will continue to discuss these sorts of matters with them before any decisions are made. Indeed, one has to remember that in this area, the area of gaming, there needs to be an appropriate balance. One has to balance the proceeds that come from the Ontario Lottery and Gaming Corp. Some 90% of those proceeds go to hospitals across this province and to community groups. That obviously performs an important service for the people of Ontario. At the same time, we must be respectful and respectful of the charities involved.

1450

#### PICKERING NUCLEAR GENERATING STATION

**Mr Michael Bryant (St Paul's):** My question is for the Minister of Energy and it is about the Pickering A nuclear plant restart. It's months behind schedule, with \$1.5 billion in overruns. What happened, and what have you been doing to fix it?

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I was meeting with the chair of the OPG just last week discussing exactly that issue. Yes, it is months behind schedule and it's over budget. It's unacceptable. He outlined some issues that he found concerning that they've addressed with respect to putting it on the right footing and getting it in in a reasonable length of time and within the budget now that has been allocated. I can tell you that they are

cognisant and very aware of the situation. They had some difficulties, and after the meeting with the chair of the OPG, he's given me an undertaking that it will come in on time with the new schedule and that the budget will be met.

**Mr Bryant:** As a result of the failure to get Pickering A started up on time, we have what the IMO electricity referee has called reduced reserve levels. As a result of the reduced reserved levels, the IMO says—these are my words—that there will be an upward pressure on market prices. So as a result of your government's failure to get Pickering A started on time, electricity bills will be higher than they would have otherwise been had the government done its job on the Pickering A refurbishment.

When the Provincial Auditor brought this to your attention on June 6, you said, "No, the prices will not go up." Will you admit now that you were wrong to say that and that the IMO has in fact confirmed the Provincial Auditor's assessment? And will you take responsibility for the prices going up as a result of the Pickering A nuclear failure that took place as a result of something the Ministry of Energy did wrong?

**Hon Mr Stockwell:** I won't admit that, because that's not accurate. The fact is, if you read the entire annual report, it states very clearly that the IMO does not expect electricity shortages in the province at any time during the 18-month period or beyond. The IMO states that the energy production capability is generally expected to be well above energy demand levels in the outlook period, which is 18 months. Prices will fluctuate, they suggest, as the weather heats up and the market demand goes up and down. We've never denied that. The IMO has also said with their outlook forecast that they have precluded, they've excluded, the Pickering plant. They've always said that we have a supply of energy that's sufficient. So I won't admit that, because it's not accurate.

I understand what you're pointing to, but you've got to read the whole report. The whole report finally comes down to the fact that the IMO said there will be no electricity shortages; they do not expect electricity shortages in the 18-month period. Reserves are slightly lower than they were in the April 2002 supply adequacy report, and prices will fluctuate depending on the weather. You can't take selective passages. What you have to do is, when you open the report you start on page 1 and you have to read it all. You know when you're finished? When you take the last page and close it and there's nothing left to read.

#### FIRE MARSHAL'S GUIDELINE

**Mr R. Gary Stewart (Peterborough):** My question is for the Minister of Public Safety and Security. I know you've heard from a number of concerned members on this side of the House about a new guideline issued by the Ontario fire marshal. The guideline recommends to municipalities that 10 firefighters be on the scene of a fire within 10 minutes of a call 90% of the time.



I've held a number of meetings with people in my constituency—firefighters, municipal officials and others—about the difficulties in implementing this guideline. For small communities, and in particular large rural constituencies like my own, the 10 in 10 guideline is unrealistic. Fire safety is definitely a priority for my community, but government solutions must take into account differences in municipal resources. Many of our municipal partners feel this guideline does not do that. I understand that the fire marshal operates at arm's length from the government but, Minister, how are municipalities to interpret the fire marshal's guideline?

**Hon Robert W. Runciman (Minister of Public Safety and Security):** I want to thank the member for Peterborough for raising the issue. We have discussed this as well with a number of other government members who've brought this to my attention. In my first meeting with the fire marshal, this issue was raised and I was assured that it was strictly a guideline and that municipalities should not be concerned about its implications. But I think it's fair to say the concern continues to grow and, based on that, I asked the fire marshal to issue a clarification, which was done a week to 10 days ago, which was circulated to all municipalities explaining that this was a guideline and not a requirement. But I gather concern is still alive and well, and we are attempting to address it.

**Mr Stewart:** Minister, I appreciate that you have been willing to listen to the concerns that I and other caucus members have brought forward on this issue. But what about implementation? Does it adequately account for the differences between rural and urban, large municipalities and small, and what about the risks? I understand that in the US they have a program for urban and a different one for rural areas.

Minister, now that the fire marshal has issued a formal communiqué, aren't our fire safety partners at risk of being held legally responsible for not adhering to the minister's guidelines?

**Hon Mr Runciman:** I think that is the major concern of municipalities, especially small rural and large rural municipalities, with respect to liability. That has been raised with officials in the ministry and they have assured me that this does in no way, shape or form put municipalities in the situation where they're facing additional liabilities.

I have to say that the member and I discussed the issue of other jurisdictions having varying guidelines, depending upon the size of the municipality, the population, the nature of the volunteer or full-time fire service. We will be pursuing that issue to see if we can have those kinds of distinctions recognizing the differences in municipalities.

#### PRIVATE HEALTH CARE SERVICES

**Ms Shelley Martel (Nickel Belt):** My question is to the Premier. Premier, last week you refused to reconsider your plan for more for-profit health care delivery in

Ontario, and New Democrats believe this will come at the expense of patient care because dollars that should go completely into patient care end up being diverted into profits.

We understand that in the last seven months your current chief of staff was a paid lobbyist for a for-profit health care corporation. Steve Pengelly worked for Endopis Medical Inc, lobbying for hospitals, privatization and outsourcing. We wonder if this company has any relation to Endopis Medical Imaging Clinics, located at the same address.

Premier, does your decision to establish private MRI and CAT scan clinics have anything to do with your office's ties to for-profit health care corporations?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I don't have any ties to private sector, for-profit health care clinics, and anything the government is doing with respect to providing more diagnostic or treatment procedures available to the public is to increase accessibility.

If you will note, in the budget—and the Minister of Health has indicated it several times since—we are looking at putting MRIs and other diagnostic procedures in private facilities that already exist for other purposes. That is where we are looking at expanding the number of procedures that are available to the people in Ontario to make it more accessible.

**Ms Martel:** Premier, if I might, your connections to the for-profit health sector don't stop there. Before she rejoined your staff, Kristina Filmer, who is now senior adviser to your chief of staff, was a lobbyist for Canadian Radiation Oncology Services, the for-profit cancer clinic which is located at Sunnybrook. Charles Harnick, former Conservative cabinet minister, is registered as a lobbyist for the same for-profit company. This is the same for-profit clinic that the Provincial Auditor noted as being paid \$500 more per case than is being paid in the public cancer centre. It's also the same for-profit clinic that Mr McGuinty told the Toronto Sun in May 2002 he would maintain if elected. It's the same for-profit company whose contract the government quietly renewed in March 2002.

Premier, my question: who else on your staff has ties to companies which might benefit from your decision to further expand for-profit health care in Ontario?

**Hon Mr Eves:** With respect to any private clinic delivering any service in the province of Ontario, the member surely knows that about 35% of the health care delivered in the public health care system today is delivered by private-sector clinics. It is delivered for the reason that they can improve accessibility for the public to different diagnostic and treatment procedures like kidney dialysis and like diagnostic procedures of imaging that allow the patient to detect sooner what problems they may or may not have.

I was in Kitchener yesterday, where we are opening at the Grand River Hospital an MRI situation that will allow some 3,300 patients a year to receive MRIs who are not.

There has to be a mix and a blend of whatever facility can best provide more accessibility within the confines of a publicly funded health care system. We will do what we can to improve accessibility of the public to health care.

1500

#### IPPERWASH PROVINCIAL PARK

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Premier. Ontarians, as you know, want to know what happened in September 1995 in the shooting death of Dudley George at Ipperwash Provincial Park. You will know the park is still closed. This is an open wound that won't heal unless there's a public inquiry. There is a civil case by the George family, although they do not prefer that approach. They would drop the civil case in a moment if you would call a public inquiry.

Former Premier Harris has spent about \$1 million of taxpayers' money so far on his legal defence, and the estimate is that he may very well spend another \$1 million on his defence. There's another group of government people who are also being defended through the government's insurance company. We have been trying to find out how much money has been spent there, and what the government has said is that if they disclosed that, it would have a chilling effect on the government's insurer.

The question is this: will you agree, Premier, to call a public inquiry into the events surrounding the shooting death at Ipperwash Provincial Park?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I refer this to the AG, Mr Speaker.

**Hon David Young (Attorney General, minister responsible for native affairs):** Indeed, this is a serious matter. An individual lost his life as a result of the incident referenced by the member opposite. It is so serious a matter that it has been the subject matter of not one, not two, but three court proceedings. It was a matter where indeed an individual was convicted of a very serious charge, and there was another individual who was acquitted.

This is not a matter that anybody is trying to remove from public attention. This is a matter where we are trying to get to the truth; we are trying to ensure that all of the facts are brought forward. Indeed, to that end we have co-operated fully with the pending civil action. We have asked that the matter be expedited. A case management judge has been appointed and is moving this action forward so that all of the people of Ontario can get all of the facts.

**Mr Phillips:** Premier, I would hope you might address this personally. You are a lawyer, and lawyers understand that the civil case may determine who might have been legally responsible but it will not get at many of the essential issues in this case: whether the procedures were adequate; the relationship between the government and the OPP; the short- and long-term causes of what hap-

pened that might have led to that incident; the preventive measures.

It is crystal clear to any lawyer I've talked to that the civil case will not get the answers to the essential questions. So I would say to you that Mr Harris will spend another \$1 million of taxpayers' money, the other millions of dollars will be spent on legal fees defending the civil case, and at the end of that Ontario will still not have the answer to the questions. I say to you again, Premier, the time is now, is right, before the summer recess. Will you now agree to do the appropriate thing, to stop the civil case, allow the George family to drop it, by calling a public inquiry?

**Hon Mr Young:** Indeed, it is the George family that commenced the civil action. They did so by filing a statement of claim with the Superior Court of Justice in this province. In that statement of claim they set out the parameters of the lawsuit, as does any plaintiff at the commencement of a lawsuit. They set out the issues that were to be dealt with, and they will be dealt with.

I would ask you for a moment to pause and consider the difference between a civil action and a public inquiry of the sort referenced by the member opposite. In a civil action, the judge is free, open and indeed obliged to find fault and assess damages. In a public inquiry, there can be no such finding. The judge or whoever the individual is who is put in charge of that inquiry is restricted as to what he or she can do. So if we are looking for the best vehicle to provide as many answers as possible, the civil action is the most appropriate vehicle to utilize.

#### NUTRIENT MANAGEMENT

**Mr John O'Toole (Durham):** My question is to the Minister of Agriculture and Food. Minister, you're very familiar with my riding of Durham, and you would know perhaps that municipal agricultural advisory committees and other constituents of mine have been inquiring recently about the status of our Nutrient Management Act. I'll mention them later. Recently, I am pleased to say, it received second reading and in fact I'm confident, with the endurance of our House leader, and you, as minister, it will pass here tomorrow.

Last week, however, the opposition member from Glengarry-Prescott-Russell, Mr Lalonde, introduced a private member's bill to control what he called megahog farms. I've never actually seen a megahog farm, but nonetheless I understand this proposed act pertains to operations with a large amount of livestock. It would classify them—and this is important—as industrial and not normal farm practices.

Minister, this appears to be another Liberal way, a Liberal solution to a very complex problem of managing on-farm nutrients. What is your opinion of this opposition bill that you're dealing with as the Minister of Agriculture and Food?

**Hon Helen Johns (Minister of Agriculture and Food):** I'd like to thank my colleague for the question and say that I too was surprised that this bill was introduced by



the opposition Liberals. It is the opinion on this side of the House that all of these issues are taken into account and covered under Bill 81, and we find it somewhat narrow to say that we should only look at hogs in the province as opposed to all livestock in the province. We're attempting to look at all livestock when we talk about the nutrient management bill.

The proposed bill focuses only on hogs. It doesn't cover other farming operations. We're very concerned, and so is Justice O'Connor, when you say you're focusing only on one area. In fact, in Justice O'Connor's report, on page 138, he says that Bill 81 is an excellent vehicle to move forward so that we can manage nutrients in the province. What he doesn't want to happen is that there be one-offs with the agricultural community; that people are treated fairly and equally across the province. So I am saddened that this bill would be put forward in—

**The Speaker (Hon Gary Carr):** Order. The minister's time is up.

**Mr O'Toole:** Mr Speaker, I wish you had given her more time. She was really getting into the substance of the answer.

I understand it's a very incomplete, ill-thought-out bill, and I appreciate the work you've put into this. In fact, I want to pay my respects and wish you good luck at the first ministers' meetings in Halifax this weekend, giving up your personal time etc. I also want to thank my colleagues Ernie Hardeman and Brian Coburn for the work they did on this very important, very complete bill, when they were ministers.

Since we're speaking of hog production, I want to mention a few of my riding people who are involved in the agricultural sector. I know members here would like to know about them. They are interested in the outcome of Bill 81. Ken Lamb is the president of the Durham Pork Producers. Other producers include Dave and Leah Frew, Steve Pleasance, John and Jacquie Vaneyk, Stan Found, Craig Larmer and Jim Macklin, just to name a few. Can you assure not just these but all of my constituents in my riding, particularly in the agricultural business, that Bill 81 will be passed this spring and you can get on with preparing the regulations so that they can get on with business and agriculture?

**Hon Mrs Johns:** I'd like to thank the member once again for the question and say that we on this side are certainly hopeful that this bill will pass. We know we will have the final vote tomorrow, and we're optimistic that at the end of the day we can say the bill has gone forward. We certainly need to work in this summer session to get regulations ready so that we can start to consult with the public.

I do want to say that this has been a really long haul. If the Liberals wanted to have a nutrient management bill passed so badly, they could have passed it a long time ago. They voted against it today, and I hope tomorrow they'll change their minds, that they will flip-flop and vote for this bill. If you want to vote for the bill you put on the table, you have to vote for ours. It's the same thing only broader.

1510

## HYDRO DAM SAFETY

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** My question is to the Minister of Energy. The minister will know that on Sunday afternoon on the Madawaska River, just down from the village of Calabogie, a terrible and terrifying tragedy occurred that claimed the lives of a young mother and her young son who were constituents of mine. The tragedy occurred as the result of an unexpected release of a very substantial volume of water from one of Ontario Power Generation's hydroelectric stations along that part of the Madawaska River corridor. Minister, it has been 48 hours since the tragedy occurred. Could you please tell my constituents living in the Calabogie area and the Legislature what, to the best of your understanding at this point in time, occurred on that river Sunday afternoon?

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I want to thank the member opposite for the question. When I found out on Sunday, I did my best to try and inform the local member; I think we reached you later that day.

Cindy Cadieux and her nine-year-old son Aaron were killed on Sunday, June 23, by a rush of water from the Barrett Chute dam. It was a very serious thing that took place and I know this whole House will send its condolences and sorrow to the family. It's a tragedy that I'm sure we all feel.

The Ontario Provincial Police, the local coroner's office and Ontario Power Generation are investigating the tragic accident. I understand from the OPG that they are fully co-operating. In fact, I directed them to fully co-operate with the investigation. We'll take whatever action is necessary to ensure safety around the dam sites, at Madawaska and the other sites across Ontario.

It's an awful thing. It's a terrible, terrible thing. I know your community of Renfrew is seized with this issue. I think all in the House would like to allow the police to investigate and determine what happened, what went wrong, and then maybe we can comment and deal with the issue after the fact.

Again, it was a tragedy and we extend our sincere condolences to the family.

**Mr Conway:** I appreciate the minister's response and I know my constituents will appreciate his concern and his sympathy. It was a truly terrifying thing that occurred on that brilliant early summer afternoon in the Calabogie area.

My supplementary question is this: in my constituency of Renfrew-Nipissing-Pembroke there are several other hydroelectric generating stations. Across the province there are scores of these stations. Could the minister tell me what he, his department, his government and all of the hydroelectric generators in the province are doing to ensure the maximum level of public safety so that an incident such as we saw, tragically, at Calabogie on Sunday does not occur again?

**Hon Mr Stockwell:** On Monday morning, after getting to the office, I had my staff phone the OPG and others and directed all such operations to be reviewed, with the OPG staff going out there to review all procedures that are put in place to ensure that at least in the meantime nothing like this will take place.

You're right, there are a number of these facilities around Ontario. It's a big job, but they have undertaken to do just that. The member made the request of me and I followed up on it exactly as you said. The important fact now is that we try and ensure that with any of these other sites, if they're handling the situation the same way, they stop. I think that was the order I put out. I know that was the order I put out to my staff. I know that's the order that was given to the OPG. It was also the order to completely co-operate with the OPP, but also, obviously, we should talk about all the other sites and ensure they don't handle it in the same fashion.

All I can say to the House right now is that after the investigation we'll review further, but the directions were put out, notices have been sent and the OPG staff are inspecting to ensure that in the meantime it doesn't happen again.

#### HMCS HAIDA

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** My question is for the Minister of Tourism and Recreation. There has been discussion between this government and the federal government, Parks Canada and the Friends of HMCS Haida that the Haida may be relocated. Can you give us an update on HMCS Haida and its future, and in particular the transfer of the Haida to Parks Canada?

**Hon Cameron Jackson (Minister of Tourism and Recreation):** I realize all members of the House are waiting to hear this year's update on the Haida. As all members would know, this is probably the most decorated and distinguished vessel in Canadian naval history and it's important we preserve this important ship for future generations.

Three years ago we started discussions with Sheila Copps and her ministry—three years ago—to relocate it to a permanent location in Hamilton. I'm pleased to tell the House that we have an agreement in principle that we will be able to effect the transfer of this important heritage property.

Friends of HMCS Haida—which includes everyone in this House, I understand—are very excited about our opportunity to preserve this important historical site and to improve its presentation for future generations. It's going to build an outstanding tourism product for Hamilton.

**Mr Gill:** Minister, thank you for enlightening us. It is heartening that the province appreciates the historical significance of the Haida and its naval experience, beginning with its wartime duty and, later, participating as part of the United Nations's first peacekeeping operation in Korea.

What are the next steps for the transfer of HMCS Haida to Parks Canada?

**Hon Mr Jackson:** I want to thank the honourable member. This is a great example of how the federal and provincial governments can work together. The province is pleased to put up a quarter of a million dollars in a one-time grant to ensure that we can move the ship safely from Ontario Place. We will have some restoration work to do at the waterfront at Ontario Place. We will tow it to Welland port, where it will have important repairs so that it will arrive in Hamilton safely. We want to make sure the federal government and the provincial government ensure that the transfer occurs effectively.

This is the last summer the Haida will be at Ontario Place. I encourage you to go and see it and enjoy Ontario Place.

If I may, Mr Speaker, on Canada Day at 10 o'clock at night we will have a world-class fireworks display set to Canadian music. We encourage all members of the House and those listening to come to Ontario Place on Monday to celebrate Canada Day.

#### EDUCATION FUNDING

**Mr Gilles Bisson (Timmins-James Bay):** My question is to the Deputy Premier and Minister of Education. You would know, as my good friend and colleague from Hamilton West had indicated, that the Ottawa board and now the Hamilton board have had to make decisions as a result of your shortfall in the funding formula that funds education, through those boards, to the kids. In their cases, they have basically decided that they're going to run deficits rather than taking services away from those kids.

In my community, our public English board has been put in a position of having a \$4.8-million shortfall this upcoming budget year. As a result of that, they've decided to cut \$930,000 from the special-needs budget. That means 25% of the education assistants are going to be let go next year. There are now some 650 kids in our school board area, within that board, who are going to be without services next year.

What are you prepared to do to assist those kids to make sure they get the services they need so they can compete in the future?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I certainly appreciate the concerns the member has brought to my attention regarding the pupils within his constituency, but as the member does know, we have responded to the concerns and, certainly, the additional money has flowed to school boards. We have added about \$556 million this year, in the last few months. I would also hasten to add that school boards have seen an increase in their flexible funding from \$100 per student to \$200 per student, so they do have the flexibility to direct the money where it's most needed. We've also taken into account small school boards with declining enrolment, and, again, they continue to be allocated additional money.



**Mr Bisson:** Minister, the problem is, all of that does absolutely nothing to help kids next year. The boards are making these decisions based on what they know the numbers are, as you announced in the budget. So those numbers aren't going to assist those 650 kids within the public board who are going to have to do without those particular services. Now you have a separate process going on, when it comes to a consultation process to take a look at the funding formula. But my problem there is, that decision won't be made until later on this fall, which means it will not be implemented until next spring, should there be an increase in the special-needs budgets.

So my plea to you is a very simple one. We know there's a process that is undertaken to revisit the issue of the funding formula. My question to you is, are you prepared to fund adequately the dollars for school boards across this province, and specifically for the area I represent, so that those kids who need special-needs education aren't going to have to do without because of the shortfall in your funding formula?

**Hon Mrs Witmer:** The member opposite obviously didn't hear the response to his first question or he was anticipating that I would give a different response. I think he's talking about the Rozanski report, which I didn't mention in my first response. But I did tell the member opposite that we have responded. We have announced funding of 556 million additional dollars this year. We have increased flexible funding for school boards from \$100 to \$200 per pupil. We have given additional money to small school boards, recognizing that there is a need to recognize that there are some extenuating circumstances. We certainly are moving forward in a way that responds to the requests we have heard from school boards to provide them with additional money and more flexible funding and we have done so.

1520

#### SUPPORT FOR AGRICULTURE

**Mr Steve Peters (Elgin-Middlesex-London):** My question is to the Minister of Agriculture. The federal government has announced how much they're coming to the table with. Will you today announce to this Legislature and Ontario farmers what contribution the Ontario government is going to make toward safety nets?

**Hon Helen Johns (Minister of Agriculture and Food):** Let me say that I appreciate the question asked, because the agricultural community in Ontario is a very important industry. The agri-food industry is the second-largest industry in the province.

Last week the federal government introduced a plan. Inasmuch as we're grateful for the fact that they came forward with dollars, it's a little shy on details. We have worked with the federal government over the weekend to be able to ascertain the kinds of dollars the federal government is talking about. Once we get that information, we will be talking about that.

As a result of the information we had gleaned, we met with the agricultural community on Monday morning. We've all gone away to work on the details to be able to come together again and have a discussion of where the province may go. It's our goal to work with the agricultural community to ensure that we do the best things for the agricultural community as we proceed forward in the ensuing weeks. Details are what we need before we're going to make a commitment about what we're going—

**The Speaker (Hon Gary Carr):** I thank the minister. Supplementary?

**Mr Peters:** It doesn't take a rocket scientist to know that the Ontario agricultural community will receive approximately 21% of the federal dollars that are allocated. There's a tradition in this country of cost sharing, a 40-60 split. I know that you have some difficulties with it. But we heard the previous Minister of Agriculture, Ernie Hardeman, say that we've had this tradition, this 40-60 split.

We've waited. We've been waiting for over a year for the made-in-Ontario safety net program. We've been through one minister; we're into another minister. We heard at the agricultural round table that the Premier is hoping to have something in place by the fall. The farmers of Ontario can't wait until the fall.

Madam Minister, the farmers of Ontario are asking you to stand up and show some leadership. When will we see what the Ontario contribution is going to be? And when will those cheques start to flow to Ontario farmers, those farmers who have been hurt by bad crops, bad weather, those farmers who have been hurt by subsidies from the European Union, from the United States? When are you going to stand up, Minister, and deliver a clear message to Ontario farmers that you care about this government, that you don't pay lip service to them? When, Minister, will we hear that announcement?

**Hon Mrs Johns:** What a bunch of bunk and bluster. He knows as well as every farmer in the province knows that last year Ontario put up their 40%, plus they put up \$20 million extra that was never matched by the Liberals in Ottawa. We've come forward. We've been there for the agricultural community. In fact, when I was made minister in April I went to Minister Vancilief and said, "I think we should move forward on this." He is moving forward. He's going to give me the details. We're going to consult with the agricultural community, because that's what we do on this side of the House. Past history tells us that when it comes to supporting farmers, this side of the House does it.

What happened of course is that the federal government refuses to take responsibility for the trade injury they have incurred because they refused to be strong at the WTO talks. Saskatchewan has raised strong arguments on this, but we have never said we'll walk away from our 40%. The commitment has been—

**The Speaker:** The minister's time is up.

## PETITIONS

## CHILDREN'S HEALTH SERVICES

**Mr Dalton McGuinty (Leader of the Opposition):** I am pleased to present a petition that has been signed by 16,561 residents of eastern Ontario, which reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Ontario government is shutting down the heart surgery unit at the Children's Hospital of Eastern Ontario; and

"Whereas the closure of this program will restrict the accessibility to life-saving surgery for children in eastern Ontario; and

"Whereas every year CHEO treats 140 cases of seriously ill children close to home; and

"Whereas centralizing children's heart surgery in Toronto will force patients and their families to travel 400 to 600 kilometres away from home at a traumatic time; and

"Whereas there is a waiting list for cardiac surgery in Toronto but not at CHEO; and

"Whereas the people of eastern Ontario demand accessible, quality health care for their children;

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately override the government's decision to close this life-saving program and to ensure that top-quality accessible health care remains available to every child in eastern Ontario."

## HEALTH CARE

**Mr John O'Toole (Durham):** There are a lot of people around me here just now and I have the page Mackenzie—where are you from, Mackenzie? Anyway, it's an excellent petition. Actually, Mackenzie's from Peterborough.

"Whereas we, the undersigned, wish to express our concern about the current debate on our health care system; and

"Whereas medicare has saved a generation of Canadians from fear of financial ruin due to illness; and

"Whereas this system is now in peril;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to work co-operatively to uphold the five principles of the Canada Health Act which are in need of reinforcement and new commitment. These principles are: accessible, universally available, publicly administered, portable and comprehensive. We further ask that Canadians be provided with a properly funded and sustainable not-for profit health system. We ask that Canada take back its role as a leader in national health care, insured by a public health system fully supported by the federal and provincial governments."

I support this petition and I can only hope the federal government supports health care.

## PROFESSIONAL LEARNING

**Mr Alvin Curling (Scarborough-Rouge River):** I have a petition here that reads:

"Petition to the Legislative Assembly of Ontario:

"Because we, the undersigned, believe in our responsibility as teachers to maintain a high degree of professionalism; and

"Because such professionalism is best served when professional learning is self-directed and based on teacher need, improves professional skills, improves student learning, is based on best practice accountability and is funded by the appropriate educational authority; and

"Because we oppose the government's teacher testing program and the College of Teachers' professional learning program because they do not meet the objectives of effective professional learning,

"We, the undersigned, respectfully request that you repeal all clauses and references to professional learning from the Stability and Excellence in Education Act, 2001."

I affix my signature to this and I'll be sure to give it to Lauren to give to the desk.

## HIGHWAY 522

**Mr Norm Miller (Parry Sound-Muskoka):** "To the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly as follows:

"We, the taxpayers, members of the communities and the people who have to travel along Highway 522 in the district of Parry Sound want to bring to your attention the poor condition of Highway 522."

I sign my name in support of this petition.

ONTARIO DISABILITY  
SUPPORT PROGRAM

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the federal government of Canada has given a yearly increase in disability pensions geared to inflation, and the Ontario government, through the disability support program, has clawed this amount back;

"Therefore, we, the undersigned people of Ontario, petition the Ontario Legislature to remove the cap on the disability support program."

I have the signatures on this petition of a large number of people from the community of Dryden, and I affix my signature in full agreement with their concerns.

1530

## HEALTH CARE

**Mr John O'Toole (Durham):** I'm receiving thousands of these petitions and I support most of them.

"To the Legislative Assembly of Ontario:



"Whereas we, the undersigned, wish to express our concern about the current debate on our health care system; and

"Whereas medicare has saved a generation of Canadians from fear of financial ruin due to illness; and

"Whereas this system is now in peril;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to work co-operatively to uphold the five principles of the Canada Health Act which are in need of reinforcement and new commitment. These principles are: accessible, universally available, publicly administered, portable, comprehensive. We further ask that Canadians be provided with a properly funded and sustainable non-for-profit health care system. We ask that Canada take back its role as a leader in national health care, insured by a public health system fully supported by the federal and provincial governments."

I'm pleased to sign and support this on behalf of Elizabeth Bateman, who brought this into my office.

#### DOCTOR SHORTAGE

**Mr David Ramsay (Timiskaming-Cochrane):** I'm pleased to present a petition today for the provision of family doctors for the residents of Kirkland Lake.

"Whereas we, the residents of Kirkland Lake and areas are facing a critical shortage of family physicians and urge the government to provide prompt implementation of measures to ease this inadequacy;

"Whereas patients deserve to have a family physician with whom they can build a trusting relationship, someone who knows them by name, can provide routine personal care and keep track of them in the health care system. This cannot and should not be provided in an emergency department setting;

"Whereas as taxpaying citizens we are being denied access to primary health care and urge you to deliver relief for the people of this community and our remaining doctors struggling to maintain medical services;

"Therefore be it resolved that we, the undersigned, petition the Ontario Legislature as follows:

"To demand the Conservative government draw immediate attention to this potentially life-threatening crisis and provide relief to us, the people of Ontario."

I will affix my signature to this.

#### HEALTH CARE

**Mr Joseph Spina (Brampton Centre):** A petition to the Legislative Assembly of Ontario:

"Whereas we, the undersigned, wish to express our concern about the current debate on our health care system; and

"Whereas medicare has saved a generation of Canadians from fear of financial ruin due to illness; and

"Whereas this system is now in peril;"

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to work co-operatively to

uphold the five principles of the Canada Health Act which are in need of reinforcement and new commitment. These principles are: accessible, universally available, publicly administered, portable, comprehensive. We further ask that Canadians be provided with a properly funded and sustainable non-for-profit health system. We ask that Canada take back its role as a leader in national health care, insured by a public health system fully supported by the federal and provincial governments."

I'll sign this.

#### SPEECH AND LANGUAGE SERVICES

**Mr John C. Cleary (Stormont-Dundas-Charlottenburgh):** I have a petition to the Legislative Assembly of Ontario:

"Whereas all children five years and older who have been identified as children with speech and language problems have the right to receive professional speech assistance,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To ensure adequate speech professionals are available to assist children five years and older;

"Therefore, we ask the Legislature begin immediate action in providing speech and language services required."

I've also signed the petition.

#### HEALTH CARE

**Mr John O'Toole (Durham):** I feel it's important to acknowledge the work constituents do, and I do on their behalf. I'm presenting this petition. This one was brought in from Mary Lynch, who is a parish nurse:

"Whereas we, the undersigned, wish to express our concern about the current debate on our health care system; and

"Whereas medicare has saved a generation of Canadians from fear of financial ruin due to illness; and

"Whereas this system is now in peril;"

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to work co-operatively to uphold the five principles of the Canada Health Act which are in need of reinforcement and new commitment. These principles are: accessible, universally available, publicly administered, portable, comprehensive. We further ask that Canadians be provided with a properly funded and sustainable non-for-profit health care system. We ask that Canada take back its role as a leader in national health care, insured by a public health system fully supported by the federal and provincial governments."

I'm pleased to sign and endorse this on behalf of a number of constituents, and I'll be reading these further.

## AIR QUALITY

**Mr James J. Bradley (St Catharines):** "To the Legislative Assembly of Ontario:

"Whereas the Eves government's wholly owned Nanticoke generating station is North America's largest dirty coal-fired electricity producing plant and Ontario's largest producer of the chemicals and acid gases which contribute to deadly smog and acid rain; and

"Whereas the Nanticoke plant, which has more than doubled its dangerous emissions under the Harris government, is now the worst air polluter in all of Canada, spewing out over five million kilograms of toxic chemicals each year, including many cancer-causing chemicals and mercury, a potent and dangerous neurotoxin; and

"Whereas the Ontario Medical Association has stated that 1,900 Ontarians die prematurely each year and we pay \$1 billion annually in health-related costs as a result of air pollution; and

"Whereas the Eves government has the opportunity to make a positive move on behalf of the environment by proceeding with the Sir Adam Beck 3 generating facility, which would produce air-pollution-free electricity in this province and would provide an alternative to the constantly increasing demands placed upon the Nanticoke coal facility; and

"Whereas the Beck 3 generating facility would also provide a major boost to the economy of Ontario through investment and employment in the construction and operation of the facility and in addition would offer additional energy for the power grid of the province of Ontario;

"We, the undersigned, ask that the Ernie Eves government, as shareholder of Ontario Power Generation, order the immediate development and construction of the Sir Adam Beck 3 generating station."

I affix my signature. I am in complete agreement.

## HEALTH CARE

**The Acting Speaker (Mr Michael A. Brown):** Petitions? The member for Durham.

**Mr John O'Toole (Durham):** Mr Speaker, thank you for recognizing me and giving me an opportunity to represent my constituents in Durham, because this is a very important issue.

"To the Legislative Assembly of Ontario:

"Whereas we, the undersigned, wish to express our concern about the current debate on our health care system; and

"Whereas medicare has saved a generation of Canadians from fear of financial ruin due to illness; and

"Whereas this system is now in peril,

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to work co-operatively to uphold the five principles of the Canada Health Act which are in need of reinforcement and new commitment. These principles are: accessible, universally available, publicly administered, portable, comprehensive. We further ask that Canadians be provided with a properly

funded and sustainable not-for-profit health system. We ask that Canada take back its role as a leader in national health care, insured by a public health system fully supported by the federal and provincial governments."

I'm presenting this on behalf of a constituent, Bridget Atkins from Blackstock, Ontario, who has supported this along with thousands of other constituents in the riding of Durham.

## HYDRO ONE

**Mr Pat Hoy (Chatham-Kent Essex):** I have hundreds of names on these petitions. I will read this in part.

"To the Ontario Legislature:

"Whereas the Conservative government plans to sell off Hydro One and Ontario's electricity transmission grid—the central nervous system of Ontario's economy;

"Whereas the government never campaigned on selling off this vital \$5-billion public asset and never consulted the people of Ontario on this plan;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature as follows:

"To demand the Conservative government halt the sale of Hydro One until the government has a clear mandate from the owners of Hydro One—the people of Ontario."

It's signed by a number of residents from Ridgetown, Thamesville, Morpeth and Duart. I too have signed this petition.

## LONDON HEALTH SCIENCES CENTRE

**Mr Steve Peters (Elgin-Middlesex-London):** A petition to the Legislative Assembly of Ontario:

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and....

"Whereas the London Health Sciences Centre has been forced to cut 18 programs," including pediatric cardiac care, "in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people," families and patients, "of southwestern Ontario, and particularly children, at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource," and will cut into the much-needed program at the University of Western Ontario medical school; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the" Eves "government take immediate action to ensure these important health services are maintained so that the health and safety of people throughout southwestern Ontario," and particularly young children, "are not put at risk"



through the cutting of such programs as the pediatric cardiac heart surgery program.

This petition is signed by thousands of residents of southwestern Ontario who are extremely concerned, and I'm pleased to add my name in support.

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## ORDERS OF THE DAY

### KEEPING THE PROMISE FOR GROWTH AND PROSPERITY ACT (2002 BUDGET), 2002

#### LOI DE 2002 SUR LE RESPECT DE L'ENGAGEMENT D'ASSURER LA CROISSANCE ET LA PROSPÉRITÉ (BUDGET DE 2002)

Resuming the debate adjourned on June 24, 2002, on the motion for second reading of Bill 109, An Act to implement the measures contained in the 2002 Ontario Budget and to implement other initiatives of the Government of Ontario / Projet de loi 109, Loi mettant en oeuvre certaines mesures énoncées dans le budget de l'Ontario de 2002 ainsi que d'autres initiatives du gouvernement de l'Ontario.

**The Acting Speaker (Mr Michael A. Brown):** Just to remind members, Mr Bradley and Mr McMeekin have spoken. We are now at questions and comments.

**Mr Tony Martin (Sault Ste Marie):** I find it a privilege to be able to comment on the comments of the members just listed, particularly the member for St Catharines—and for Kingston, who is here—and anybody else who has spoken on this budget. Basically, everybody is saying the same thing, except that the member from St Catharines, I know, always finds a way to tie it to his own community because ultimately, at the end of the day, how this budget affects the people that we represent is what's most important.

I know that he spoke about the lack of money for cities. I know that he spoke about the lack of money in this budget, although there was a paltry amount for education, and I know that he has some real concerns about health care in his community. As a matter of fact, did you get your CAT scan yet, or your MRI? I'm not sure. That's always an issue, and I'm not sure whether that's in this budget or not, or whether it's going to be available or not.

I know that there are a lot of communities across this province, including my own, that find themselves in dire straits at the moment where health care is concerned, and the budget did nothing to relieve that concern. Education is another. We've heard over the last few days here the questions raised by many of the members of our caucus around the question of funding for education, and in particular funding for special ed. We know that at the end of the day, if there isn't money for the basic classroom

support, the money that was put in for special education is the first to be sacrificed. In sacrificing that money, you are sacrificing those children who need those services so desperately.

Even though there was a kinder, gentler face put on this budget by some of the language that was used, when you get into it in any detail and you begin to assess the impact that it will have on communities and on people living in communities and the systems that support those people, I think most people will be disappointed. We'll see that this government really hasn't changed its tack at all, it's just doing it in a different way.

**The Acting Speaker:** Questions and comments?

**Mr Steve Gilchrist (Scarborough East):** I'm pleased to offer a few thoughts. We were just handed out earlier this afternoon a copy of all of the spending by the various members of the Legislature and I want to compliment that one of the two members to whom we were responding, Mr Bradley, did a very good job of staying well under the budget, the \$236,000 that was allowed.

It's a concern to me, though, because we get many lectures from the members opposite about our profligacy, about how there might be waste or inefficiencies. Yet when I look at this chart, it is indeed sobering. When the media gives so little attention—I know outside they were trying to focus on one line out of this report. But it is sobering to note that in every case the opposition members were the highest spenders. Those would be the people who would have the fewest responsibilities, who don't have the requirement to be down here. What troubles me more on the travel side is that every year, traditionally, we've heard from Mr Phillips and Mr Curling, who have always criticized the Conservative members for their spending.

*Interjection.*

**Mr Gilchrist:** Yes, you're right. What goes around comes around—

**The Acting Speaker:** Order. There is a requirement that we comment or ask questions about the particular speeches that were given by the member from St Catharines and the member for Ancaster-Dundas-Flamborough-Aldershot.

**Mr Gilchrist:** Mr Speaker, the clock was not stopped. Allow me to say that considering that this budget includes the allocation for the Legislative Assembly, I suggest that this is quite appropriate. What struck me this year is that every year in the past, Mr Phillips, the member for Scarborough-Agincourt, has gone to great lengths to excoriate members on this side for their spending.

**Mr John Gerretsen (Kingston and the Islands):** Since the member opposite brought it up, let me just—

*Interjections.*

**Mr Gerretsen:** If he wants to get into it, we can, because he is only \$10,000 less than the two members he talked about.

**The Acting Speaker:** We're not going to discuss comments that were not made by Mr Bradley or Mr McMeekin.

**Mr Gerretsen:** Exactly, and I appreciate that very much. It should be noted, however, that if the members on the government side are in cabinet or are parliamentary assistant many of the expenses can be placed—

*Interjections.*

**The Acting Speaker:** We're not going there. Comments on Mr Bradley's or Mr McMeekin's speech.

**Mr Gerretsen:** I thought Mr Bradley's speech last night was absolutely superb, as they always are.

The one thing that has really surprised me about this government is the fact that they now have to change, as a result of this budget, the Taxpayer Protection Act. You may recall that this was their shining piece of legislation. They were going to put in legislation that if there were going to be any tax increases at all, in effect it would have to go to the people. Now, of course, within a year after passing that act, they have to reverse themselves.

Now let me make it absolutely clear that I am not in favour of all these tax cuts they've been implementing over the last five years. I think we as a province, a society and a people would have been a lot better off if we had taken that tax cut money and put it into service programs, whether it's in health care or in education, because that's what the people of Ontario want. They want good public services, whether we're talking about the environment, whether we're talking about educating our young or whether we're talking about the health care services that each and every one of us needs. I'm all in favour of that, but they in effect have had to go against their own promise by now having to change the Taxpayer Protection Act.

**Hon Helen Johns (Minister of Agriculture and Food):** I'd like to pass comment on the member for St Catharines's speech last night. I know he spent a great deal of time talking about media moguls. He talked about Izzy Asper last night and his seemingly questionable behaviour with the Prime Minister and his discussions about how the media affects how people view us all in the province, and across the country as a matter of fact.

I was somewhat amused, I have to say, because he tried to draw an analogy last night which I thought was a little far-reaching when he suggested somewhere along the line that the Conservatives, and especially Mike Harris, had had an easy ride with the media and that maybe there had been those kinds of relationships, like Izzy obviously has with Jean Chrétien, with Mike Harris. I just wanted to remind the member opposite that we obviously don't see that on this side of the House. We think the papers are usually fairly—

**Mr Gilchrist:** Not the Toronto Star.

**Hon Mrs Johns:** The Toronto Star especially is fairly critical of anything we do.

But obviously it comes down to us all thinking about media and the roles and responsibilities of media.

*Interjection.*

**Hon Mrs Johns:** I can always yell louder than somebody else across the room.

But let me say that it's difficult to have media where they are intruding or talking about government relation-

ships and trying to influence people. I often read these papers and think, "I wonder if this is an op-ed piece, if this is an editorial or if this is a strict portrayal of the facts." I think, like my colleague across the way, that they need to say that more clearly so people understand what they're reading when they go through the papers. It's easy for us to be not identified well, and I suggest to the Aspers that—

**The Acting Speaker:** Now we'll have a response from the member for St Catharines.

**Mr James J. Bradley (St Catharines):** Thank you to all my colleagues who responded.

The Minister of Agriculture is right in saying that what we're looking for is defining what is opinion and what is supposed to be direct reporting, and that's important. She knew last night the point I was making was that I didn't hear a whisper of concern from the right wing when all of these newspapers were seized by Conrad Black, through his millions upon millions of dollars, and converted from what he said were left-wing rags to in effect right-wing newspapers.

1550

Now a new owner takes over, Mr Asper, and he reads all these papers that constantly are vitriolically anti-Liberal, anti-NDP, pro-Alliance and pro-Mike Harris government. I look at some of the columnists in the Ottawa Citizen. You've got a couple of them who worked in Premier Harris's office. You've got some who work for the Fraser Institute. I simply say what I look for, and I think what the Minister of Agriculture looks for, is some balance out there, not rants against one political party or another, day after day.

As for the member for Scarborough East chastising the Toronto Star, I think you should be happy with some of the columns you've seen lately. It fits into your pattern, where you want to boost the NDP up so you can say, "Well, the NDP is the real opposition"—and the NDP is happy to get that; I don't blame them—"and Ernie Eves has really changed and this is a new government." You can't complain about that when you see those things happening and some of the headlines you get. But of course, as things unfold, the real truth will be known. Unfortunately, you will be trying to counter the real truth with millions upon millions of dollars of government advertising and partisan advertising, which you can afford.

**The Acting Speaker:** Further debate?

**Mr David Christopherson (Hamilton West):** It's my pleasure to participate. I want to begin my remarks on the budget that was just tabled by commenting on the much-touted fact that it's a balanced budget. Of course, the government wanted and needed that ability to say it's their third or fourth—I forget what number they're bragging about, but whatever it is. The fact is that they're going to achieve it by virtue of deferring primarily their corporate tax cuts and by selling assets that belong to the public. Let's deal with those two things.

First of all, it's fascinating—there are other words but I'll use "fascinating"—that this government has spent



seven years saying that tax cuts increase revenue. Most people know that an expenditure in a budget also covers off tax cuts. So whether you're spending money in health care, spending money in education, spending money in environmental protection, none of which is a priority for this government, if that's where you were spending money, that would be a tax expenditure. When you have a tax cut in a budget, the money you don't receive, the lost revenue to the province of Ontario, to the people's government, is also an expenditure. I had a phone call the last time I talked about that from somebody trying to argue the fact that it wasn't. It is; it's a tax expenditure. During the course of the economic boom that of course was caused by the US economy—and I'll come back to that in just a moment—it's easy to make the argument, when you show the previous budget documents, to say, "We did our tax cuts and, look, personal income tax revenue is up, corporate income tax is up, sales tax is up, ergo tax cuts create revenue." As we said at the time and continue to say, it's easy to make that argument when the economy is booming.

The government likes to take credit for that. They keep saying, and have said all along, that their tax cuts created the boom. We have yet to understand how somebody who lives in Wisconsin and makes a decision to buy a new car somehow makes that decision based on the corporate tax rate or the personal income tax rate in Ontario, Canada. Yet the reality is that we benefited from the economic boom because of the demand coming from the US. We can't sustain alone the number of jobs and the amount of investment we have going into the auto sector, assuming that by the end of the term of this government we still have an auto sector in this province.

One would think that if they're making those arguments during the good times—and our response to that was, "No, this is all just smoke and mirrors. You've got increased numbers in those lines because the whole economy is lifting right now." They denied it; fair enough. Where are we now? At least at the time immediately prior to the tabling of this budget we were into an economic slump. One would think that if they believed so much that tax cuts cover off the tax expenditure, in other words, that you get back the money you lost from cutting the revenue, at a time when revenue is your problem, you'd have the biggest massive tax cut in this year. It just makes common sense that if tax cuts create more money than they cost, at a time when you're short of money, you would have even greater tax cuts. What's the reality? The reality is that they took all the much-touted tax cuts they announced in the last budget and deferred them for a year. Why? Because they can't afford them.

I would argue that anyone looking at this situation would realize their own budget documents put the lie to their argument that sustaining all of these tax cuts has actually increased revenue into the province. It obviously can't be true, or those tax cuts would have been done this year. In fact, they would have done even more. It was interesting last year, after September 11, that the big

response from this government, the first response to the crisis of September 11, was that they moved up the tax cuts. Remember, they moved up the implementation of the tax cuts because, they said, "We've got to make sure there's stimulation out there in the economy." Now, when they need the revenue more than ever, they defer. Why? The real reason is that they do not offset the way you have said they do. They can be strategic. They can have a stimulative effect. I'm going to talk about one tax in particular that actually is an issue of fairness. But to make the argument, as they have, that we benefited from an economic boom because of their cuts is simply not true; it's not the case. If it were, we not only would not have seen a deferral but, to repeat myself, we would have seen even greater tax cuts in this budget. They aren't there because they don't do that. They had to defer those tax cuts because we can't afford them.

What's the other component of balancing the budget? The Premier says they're going to sell off only 49% of Hydro One. We don't know for sure that that's the only sale. All we know is that when we look at the revenue, "other revenue" in 1998-99 was \$640 million. Then it went up to \$2.1 billion—I'm going to come back to that in a moment—then back down again to \$637 million. In the 2002-03 fiscal year, which this budget covers, it goes back up to \$2.4 billion. Why did it go up to \$2.1 billion in 1999-2000? Let's see, what was going on around then? Oh, yes, there was an election. As one recalls, thinking back, you sold Highway 407. You took all that revenue from selling the 407 and you showed it as one year of revenue, the election year, and that's how you paid for a lot of the goodies you promised in the 1999 election. What did we as the people of Ontario get for that investment? We got you again. That's what we got. We don't own the highway any more, but the people who own the 407—boy, they're making a killing. I get a lot of calls in my office about the 407 and the costs: the administrative costs and the per-kilometre costs. We used to own that. That profit would have been ours. It would appear in this budget line, "Profit, 407, property of the people of Ontario, X hundreds of millions of dollars." Instead it goes off to the corporate entities that own the 407. You used that money to pay for election goodies, primarily tax cuts. Now here we are in 2002 and we don't own the highway, private people are getting all the benefits of that public investment and all we got was your government again.

**1600**

Here we are, this year, back up to \$2.4 billion. It's interesting, it comes under sales and rentals. I could think of a number of things I could say about rentals, but I'm not going to go there. We're going to go from \$637 million to \$2.4 billion, and we're not even going to get the benefit of the money from the sale of our own asset, because once again you're using all that money for one year of revenue. In the 2003-04 budget, the money will be long gone. Hydro One—49%—or other assets will be long sold and once again all we end up with is you. What a raw deal for us.

**Mr Martin:** No, we won't get them again. Don't say that. Tell me it ain't true.

**Mr Christopherson:** I don't mean another election. I'm just talking about where we are next year. That's it. I'm just saying next year we don't have the asset, the money is gone and we're still stuck with them. My goodness, I'd be the last one to stand here and talk about the possibility of three times with these people.

Let me move on to a couple of other things.

**Mr Martin:** We feel better now.

**Mr Christopherson:** OK, I've calmed down my colleagues around me.

The one tax cut that was an issue of fairness for large urban centres—by the way, one of the glaring omissions in your budget is any kind of vision for urban centres like my hometown of Hamilton, like Toronto, Ottawa, Windsor, Sudbury, Sault Ste Marie. Pick your city. You've got no strategy. There is nothing to help out.

The closest we came—I was at the FCM conference when Paul Martin spoke. It takes an awful lot for me to get too enthused about a federal Liberal minister's speech. I've heard an awful lot of speeches by ministers.

**Mrs Marie Bountrogianni (Hamilton Mountain):** Former minister.

**Mr Christopherson:** Former minister, right. At that time he was the minister. But do you know why it was good? Because he actually talked about a new day for municipalities, that the federal government, recognizing this provincial government isn't doing anything, was prepared at least to start talking about a new era of new revenue streams for municipalities, and that just makes so much sense. Anyway, that spark of hope went away. It got extinguished about 48 hours later with the firing of Paul Martin. Now we're left again with municipalities having no support, no vision, from either of the two senior levels of government, which quite frankly are the only ones that can do anything about this, given the fact that municipalities do not have any kind of constitutional status.

There is nothing in here for municipalities, and yet you've taken great delight over the last seven years in downloading huge amounts of social and infrastructure responsibility to the municipalities, but you didn't give them the money. You kept that money. You got rid of the responsibility, kept the difference in money between what it cost to actually provide those services and what you were spending, and you used that to pay for your tax cuts.

In Hamilton, it's about \$42 million a year. Every year we fall behind. In fact it was one of your own backbenchers, Toni Skarica, to his credit, who voted against your bill because he said it wasn't revenue-neutral and it hurt his hometown, at that time the regional municipality of Hamilton-Wentworth.

There is nothing in here for municipalities, and yet everywhere you look people are talking about the fact that municipalities are the new focus of economic activity. They're not just there to collect the garbage and plow the snow and take care of parking bylaws; they're

responsible for huge amounts of public health, transportation, policing services. And you put on to them affordable housing, a whole host of things that shouldn't be at the lower level, but if you're going to put them there, at least give them the money. There's no change here in this budget, no urban vision. As long as you've got a balanced budget, that's the only thing that matters.

You're now making some noises about doing something for the disabled, but you haven't done it. You didn't do it in the budget. There's nothing in here for the disabled.

There's nothing in here for affordable housing. I hear some of the ministers stand up and talk about how they care about poverty: "We've all got to do something about poverty. We've all got to be a part of the solution to poverty." You've done nothing in this budget. Anybody who is unfortunate enough to be at a job that pays minimum wage—there were all those billions of dollars that went to corporate tax cuts and benefited the very wealthy. What about those who are earning minimum wage or close to minimum wage, that it's pegged to minimum wage? Not a penny in this budget, the same as the previous six. You haven't increased the minimum wage one cent. Not one.

Nothing for the disabled.

You've done nothing about all those families and those children who are on social assistance. When you cut their income by 22%, I didn't hear any one of the government MPPs stand up and say they should take a 22% decrease. No, only go after the poor. And don't talk to me about how much other provinces are giving. The fact of the matter is that you didn't say, "You've got to live with 22% less," to your corporate friends either. No, you said to all those kids in poverty, most of them in families headed by women, "You have to pay the price for our tax cuts," the magic tax cuts that do everything except what they say they do, because if they did, they would have put it in this budget.

The federal government is providing this province with \$844 million over five years for child care. Last year you received \$114 million; this year, \$152 million. Do you know what? Not a penny on providing new spaces, not a penny on making it more affordable, and not a penny to help those early childhood educators who are taking care of our children. Apparently, people in the child care environment call it ABC: anything but child care.

What else have you been touting? You've been bragging about the environmental inspectors; you're going to double the number of environmental inspectors. I see the previous Minister of the Environment here. I'm sure he's had lots to say about that, bragging about that figure. Again, like everything else they say, at first blush, on the surface, it seems to make sense: you double the number of inspectors. But what they haven't told us is that they are all going to be temps; they are all temporary positions. Sometime down the road, maybe after the next election, these jobs could all disappear.



What about all that information these inspectors are going to find out in the field when they go out and start really testing the water—start doing the job that the Ministry of the Environment was supposed to be doing, by the way, before you slashed and burned that over the last few years? What's going to happen with all that mass of information? I'm not really sure, because all the analysts who used to be in the ministry who would take all that information and decide whether or not there's a problem with our public water system, you fired. You've got one microbiologist left who is considered to be an expert in E coli. It's all smoke and mirrors so it looks good, so you can say you've got a balanced budget and, "We've done something about the environment." But once again, when we scratch underneath, it's not what they say it is. It's sure not what the titles of their bills say things are.

In the last couple of minutes, I want to talk about education. Again, along with the member's statement I made earlier, I want to say how proud I am of the Hamilton school board trustees who once again have stood up to this government and supported the kids of Hamilton. That takes a lot of courage. There's usually not a lot of spotlight and focus on those positions, and they're not the kind of folks who normally go out and rock the boat. But I can tell you, they said at the end of the day—and I agree with others who have referred to Wes Hicks's remarks; he's the trustee for ward 8, which is part of my riding. Wes said, "It's time to stand up for the kids. Over 20 years, I have seen the deterioration of our schools, staffing reductions, cuts everywhere. This system has taken enough. A balanced budget will hurt our system."

**1610**

So our school board trustees said at minimum \$16 million more than you decreed Hamilton should get is necessary to give our kids a fighting chance for the decent education they're entitled to and they were not about to take the steps and make the decisions necessary to cut that \$16 million. They are the second board to do it. I only hope that by the end of the next week or two we've got five and then 10 and 15 and 20 and ultimately I'd like to see all the school boards say, "No, we're not going to do your dirty work. We're not going to cut any more kids. We're not going to leave any more children who need English-as-a-second-language classes, kids who need decent textbooks and kids who need special education assistants out in the cold just so you can say you've got a balanced budget."

I say bravo to the Hamilton board school trustees, and I hope that they set the model for every other school board across the province in terms of taking you on.

**The Acting Speaker:** Questions and comments.

**Mr Wayne Wettlaufer (Kitchener Centre):** It always amazes me, the smoke and mirrors that are being used by the members of the opposition. The member for Hamilton West says that the US economy was so strong and that was the reason for the growth in Ontario from 1995 until the present. How is it that this province had

growth in GDP that was higher than any jurisdiction in any of the countries in the G8? The US? They didn't even register on the radar screen, for crying out loud. You're out to lunch.

We had growth here because of the policies that we implemented here. We had net new jobs created up to this point in time; since 1995, 893,000 net new jobs. You have trouble with that. How many jobs did your government create in the five years that you were in power? Minus 10,000.

**Mrs Bountrogianni:** It was a recession.

**Mr Wettlaufer:** Yes, a recession. There was supposedly a recession—yeah, yeah. There was a recession. There was all kinds of growth in the American economy between 1991 and 1995. Why didn't Ontario benefit from that growth? Do you know why we didn't benefit from that growth? Because of the policies the NDP government implemented.

I'll tell you something else. You talk about a municipal vision. In the riding I come from, Kitchener Centre, my municipality has its own vision, and that's why our municipality grows at a rate far greater than any other municipality in Ontario. That's why our economy is so strong in Kitchener, because our municipal politicians have the foresight that your other municipalities don't. So don't try to level the blame for that on the provincial or even the federal government. I'm not a fan of the federal government, but don't level the blame at them either.

As far as a balanced budget is concerned, of course it's important. It's important because we don't want to leave a debt to our kids.

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I could not begin in the two minutes that I have to do justice to the comments of the member from Hamilton West, any more than I think he would feel he was able to do full justice to what he believes is missing from Ernie Eves's last budget in the 20 minutes that he had to address it.

I noted that the member started by talking about the habit of this government, under Ernie Eves's previous budgets, as well as Mr Flaherty's single budget, of trying to pay for its tax cuts by having fire sales of assets that could indeed be profitable for governments in the future. I think it's important to add to the comments the member from Hamilton West made that there's no exception to that tendency in this budget, because of the sale of a good chunk of Hydro One, fully \$1.9 billion that this government is looking for to pay for its programs in order to afford its future tax cuts, which it is obviously absolutely committed to carrying out.

Hydro One is understandably confusing for people, because the day before a by-election, Mr Eves seemed to make it clear that the sale of Hydro was off the table. Three weeks later it was back on the table. Then just before the budget—I think it was before the budget; I must admit I lose track of the time frame here—it was somehow that Hydro was not going to be sold, and then, lo and behold, in the budget there's \$1.9 billion to be realized from the sale of Hydro One—again, a fire sale of one of our most important assets in order to pay for the

short-term agenda of this government wanting to deliver tax cuts in time for the next provincial election.

The member for Hamilton West talked about the downloading burden on municipalities, the fact that there's nothing here for cities. He probably also wished he had time to mention the fact that there's nothing here for the homeless, another of the areas that has been downloaded by this government on to the backs of municipalities, with no support either in Mr Eves's previous budgets or in Mr Eves's current budget.

I wish the member had had time to deal with the issue of the promise of privatization—private partnerships—to deliver health care so that he could have made it absolutely clear that the reason for this government doing that—

**The Acting Speaker:** Thank you. Questions or comments?

**Mr Martin:** It's my great pleasure to speak in support of the comments by the member from Hamilton West, who gave his usual very thoughtful, intelligent and on-the-spot commentary or critique of this government's financial intentions, particularly as it applies to the budget that was delivered here last week.

He initially talked about the flip-flopping by this government on the issue of tax breaks. First they say, "We're going to give tax breaks because we need the stimulation in the economy after September 11." Then they say, "We can't give them now because we can't afford it." Then, if I heard correctly on the radio today, we hear the Premier musing, "Maybe we should give the tax breaks. Maybe we shouldn't put them off as far as we suggested." I'd suggest that what we have is a government here acting very much like a duck in a thunderstorm. They don't know where they're going. They're confused, because what they thought was going to work for them is turning out to be not so sure any more.

The member from Hamilton West talked about the issue of the disabled in the province and the government's approach. Well, the government will say, "We took the disabled out of the welfare envelope," but they don't say that in doing that they made the qualifications to actually qualify for a disability pension in this province so difficult that most of them don't qualify any more. Then I came in and said, "Well, the very least you can do after seven years of no increases to their income is to give them a little increase based on the cost of living." They said no. Thirty-eight of them voted against that here in this House a week ago. Then the minister muses that maybe she might. Then I asked her a question yesterday whether in fact she would, and she said, again, "No. We can't afford to do that. We can afford corporate tax breaks, but we can't afford an increase in income for the disabled in this province." A duck in a thunderstorm—that's what this government is.

**Mr Norm Miller (Parry Sound-Muskoka):** It's my pleasure to rise to comment on the speech given by the member from Hamilton West. He certainly has an interesting interpretation of the budget, certainly not one which I agree with much, that's for sure.

He was talking about tax cuts. Well, in this budget there was a big tax cut for 50,000 modest-income earners in this province who will no longer pay provincial income tax. That brings the total to 745,000 Ontarians who don't pay any provincial income tax. Mind you, they're still paying federal income tax; I'd like to point out.

I am very pleased to see that a tax reduction is going ahead, and that's one for small business in this province. I can tell you that in my riding of Parry Sound-Muskoka, over 80% of the business is small business, and it creates over half of the new jobs in this province. The corporate tax rate for small business is down to 5.5%—the provincial part of it is down to 5.5%. That's very important for my riding of Parry Sound-Muskoka and I'm very happy to see that's going ahead. I can tell you that small businesses will be investing that money that's in their hands back into their businesses, creating jobs in this province.

Some other great things that are going on in this budget: the province is investing in the priorities that Ontario residents want to see us investing in, like health care: \$1.7 billion extra money going to health care, \$120 million being spent on cancer research and cancer care, in addition to \$500 million on education, including \$20 million for school buses; taking up on the select committee on alternative fuels and implementing the alternative fuels' recommendation to tax-exempt biodiesel fuels could have a huge effect on the pollution from diesel trucks on our highways.

The fourth balanced budget, and yes, balancing the budget is important because it's our kids who will pay for it if we don't balance the budget. I think this is a great budget.

1620

**The Acting Speaker:** Response, the member for Hamilton West.

**Mr Christopherson:** I thank my colleagues from Kitchener Centre, Thunder Bay-Atikokan, Sault Ste Marie and Parry Sound-Muskoka for caring enough to listen and stand up and respond.

In responding to their comments, let me say to the member for Sault Ste Marie that it's acknowledged in this province that nobody single-handedly has done more than you have in fighting for those who don't have a voice. I can tell you, that work goes very much appreciated by those of us who know how much you care about this issue.

To the member for Thunder Bay-Atikokan, there are a number of things in health care they didn't do, because in addition to setting things up for more privatization, they haven't done anything about primary health care reform—nothing in the budget to support that.

What about doctor shortages? Nothing being done about that. There was an interesting show last night on the CBC talking about how many foreign-trained doctors there are and how we're not putting systems in place enough to let these foreign-trained doctors provide some of the doctor care that we need, that we're so short of.



There's no patients' bill of rights, no announcement of one. You kept talking about it but you haven't done anything about that.

And what about the nurse shortage, which you created, by the way, because you fired all the nurses a number of years ago? You've done nothing about that in this budget either.

I also want to tell you that when you brag about the \$1.7 billion you're spending on health care, how about acknowledging that about \$600 million of that is coming from the feds? It's not even coming out of your revenue stream. So give me a break when you talk about health care in terms of what you've done or haven't done.

Lastly, let me deal with small business, which the members for Parry Sound-Muskoka and Kitchener Centre talked about. I only had a brief reference to it, but you control the business education tax and you're killing downtown Hamilton and Westdale in my riding because you're not fixing that fast enough, and now you're delaying it another year. You call that fair? You call that competition? You don't really care about small business; you care about yourself.

**The Acting Speaker:** Further debate?

**Ms Marilyn Mushinski (Scarborough Centre):** It is indeed an honour and a privilege to rise in the House today to speak about Bill 109. It gives me an opportunity to speak about my responsibilities as the parliamentary assistant to the Honourable Dianne Cunningham. I want specifically to talk about post-secondary education and what the act to implement measures contained in the 2002 Ontario budget means to opportunities for post-secondary education.

There is no question that Ontario's students are a very diverse and a very complex group of all ages who come from all backgrounds. They study full-time; they study part-time. I know when I went through post-secondary education here in Canada I went part-time and graduated in 1980 as a mature student. I know in today's reality there are a lot of students who study at a distance. They have a wide range of goals. Elements of this bill I believe cover many different aspects of post-secondary education, and I'd like to speak about a few of them today.

Firstly, we have the University of Ontario Institute of Technology Act, 2002, referred to in the budget as schedule O, which would establish the University of Ontario Institute of Technology, known as UOIT for short, on the campus of Durham College. It's actually 40 years now since we created a new university in Ontario. I believe it's fitting that this new institution would take a very innovative approach to meeting market needs by providing students with a wide range of career-oriented programs in high-demand occupations in the eastern GTA, which of course we all know is an area of very rapid growth.

The Eves government investment, \$60 million in start-up funds, will be matched many times over by the private sector partners who recognize the value of employees who have competitive skills for today's marketplace. I

believe that's important. When you consider that this is a new facility, the first one that has been built in Ontario in over 40 years, you can understand why it is that we really do need to address those competitive skills for today's marketplace.

If approved, the UOIT plans to start offering a range of new market-driven university programs, including applied science, advanced manufacturing, policing and community safety, applied health science, business information technology, applied arts and nuclear technology and safety, and scientific and technological teacher education.

I believe that it's what parents and students have been asking for: post-secondary education that prepares students for careers that call for practical training and theoretical grounding. This would be a unique university that gives them both. This kind of innovative approach to meeting market needs would mark UOIT's introduction to the education field. It's simply smart thinking to ensure that your graduates have the knowledge and the skills that they need to find the jobs they want.

This institution, we believe, will be a natural fit with Durham College. If passed by the Legislature, we look forward to UOIT and Durham College finding new ways of working together and new ways of helping each other to move forward. Our government is particularly proud to be a partner in what we believe to be a very exciting undertaking, and it's going to be a new university that meets the demands of a new technology and a new economy.

Next, we have schedule F. This is the Ontario Colleges of Applied Arts and Technology Act, 2002. It sets up a separate act for the establishment and governance of colleges and removes these powers from the Ministry of Training, Colleges and Universities Act.

We want colleges to be better able to respond to the different and unique circumstances of their communities, their student bodies and their local economies or the unique areas of specialization. The intent of this legislation is really to help these colleges to do this by giving them more autonomy to make decisions at the local level and to pursue entrepreneurial activities. They would of course still be held accountable for public dollars. We want colleges to improve on the already excellent job that they do to give students and employers programs that will provide the skills needed in today's and tomorrow's economy. Boards of governors would define the unique role that each college plays in its local, regional, national and even its international communities. College boards would also have increased responsibility for managing real estate transactions, approving programs of instruction and establishing some subsidiary corporations.

Colleges need to continue to be responsive and they also need to be market-oriented. The ability to adapt and to evolve and to be flexible, be nimble, will be vital for future success. This bill will remove some of the bureaucratic requirements related to the need for ministerial approval and it will provide for more local decision-making and more determination, something that we believe

colleges have been asking for for a long time. Colleges will continue to have a community focus. I believe that's important. Certainly it is for the community college in my riding of Scarborough Centre, Centennial College. But they also will have more flexibility to determine which communities they will serve, be they local, regional or provincial.

1630

Already the characteristics of the various colleges vary significantly: in size, in the nature of the communities they serve, the role of the college in the community, the range of the programs they offer, and the partnerships they have with local business, industry and other educational institutions. One size, we know, does not necessarily fit all. The new legislation will allow for greater diversity between and among colleges—I think that's important—and even groups of colleges, because colleges need to be able to specialize. Each college will undoubtedly continue to offer a core of programs to address the needs of their communities; however, it is intended that colleges will increasingly build on their strengths and focus on the majority of programming in a few broader areas, eliminating unnecessary overlap and duplication. We have many examples of this already, specialization in colleges such as Sheridan College, which has, I believe, an international reputation and expertise in animation, or Conestoga College, which has an expertise in manufacturing.

As the college system evolves in its growth, Ontarians will be the beneficiaries; no question about that. We will have the skilled workforce we need to be a thriving, vibrant economy, something we promised to commit to in 1995, and we continue to do so.

Schedule E is a very important section. It's a section that will revise the Ontario College of Art Act to give the college the authority to grant bachelor's and master's degrees in fine arts and design. In 2000-01, the Ontario College of Art and Design, or OCAD as it is known, surpassed the standards set by an independent expert review panel for degree-granting authority. This amendment would only serve to reflect the quality of programming that students have been receiving for many years. There have been so many artists who have added so much to the character and beauty of our province and have learned their trade at the Ontario College of Art and Design. They include Ken Danby, Michael Snow and members of the Group of Seven. How ironic that an institution that produces graduates with the skills and talent to have such a huge impact on our province and to earn international recognition has had, until now, no authority to grant degrees.

There are four Canadian art and design colleges: the Nova Scotia College of Art and Design, the Alberta College of Art and Design, the Emily Carr Institute and the Ontario College of Art and Design. Among them, only Ontario's college does not offer its own degrees. Students who graduate from OCAD have only been able to aspire to certificates, diplomas and the "associate of the college" award. Students who felt the need to receive

a degree at the end of their hard work have been forced to turn to other institutions that may not have offered the choice of curriculum they wanted.

It is time that OCAD graduates receive credentials that truly indicate the quality of the education they have received. Up to now, students have sometimes found themselves limited in their choice of work after graduation because their credentials didn't appear on par with those of graduates from other institutions. We don't want them to have to choose between a high-quality fine arts education or a degree. We want them to have both right here in Ontario.

The amendments now before the House answer needs that have been expressed clearly and repeatedly by the administrators of OCAD. The most important amendment relates to giving the college the authority to confer bachelor's and master's degrees in fine arts and design. Anyone familiar with the calibre of graduate turned out by OCAD would agree the college provides a top-notch education.

After extensive meetings and interviews, the panel that assessed OCAD's program made a unanimous finding that, yes, OCAD's proposed degree programs are of international academic quality. With the legislation we're discussing today, we are now acting on that recommendation.

Schedule G deals with amendments to the Ontario Educational Communications Authority Act. That's the act that actually governs the operations of TVOntario. One of our government's priorities is to ensure that life-long learning programs help Ontarians stay competitive in the workforce by providing them with flexible opportunities to learn new skills and keep existing knowledge up-to-date, while balancing the priorities of family and career.

In January 2001, this government announced the creation of the Centre for Excellence in Lifelong Learning at TVOntario. The proposed amendments to the Ontario Educational Communications Authority Act would recognize the new role of the Centre for Excellence in Lifelong Learning by enabling TVOntario to fully operate and recognize distance education programs by correspondence or by other means.

As times change, TVOntario has changed with them and has launched new services that meet the needs of its audiences. The e-learning division grew out of a new strategic direction taken by TVOntario in 2000 to focus on distance learning, skills training and other educational tools. To support the growth of distance education initiatives, the Ontario government announced the \$5-million lifelong learning challenge fund in the 2000 budget. Almost \$10 million has been invested in eight distance education projects to help adults upgrade or expand their professional skills through access to interactive and Internet training programs that will help to increase their success in the workplace.

All of these programs are helping this government to ensure Ontarians have opportunities to access high-



quality, relevant learning programs wherever and whenever they are needed.

The final piece, the transfer of the Independent Learning Centre—ILC—to TVOntario, was announced by our government in January 2001, and it is an important element in the creation of the Centre for Excellence in Life-long Learning at TVOntario.

The legislation in schedule G proposes to amend the Ontario Educational Communications Authority Act by giving TVOntario the authority to grant credentials and secondary school diplomas. This will allow TVOntario to take on the full responsibility of the services and programs of the Independent Learning Centre. I believe that clearly meets the core business of TVOntario.

In conclusion, our government is committed to providing the finest possible educational opportunities to Ontarians right here in Ontario. The government believes education is the cornerstone of our province's growth. We want our citizens to be equipped to meet the challenges of a rapidly changing global economy. We also want to be sure our institutions have the ability to respond to the changing priorities of students and employers. We cannot ask them to do this without giving them the tools. It's something they have been asking for and something this budget responds to. We here in the Legislature must show them that we too can respond to Ontario's changing educational needs.

1640

**The Acting Speaker:** Questions or comments?

**Mrs Bountrogianni:** Actually, this part of the bill we're debating is the part we really don't disagree very much with the government about; what we disagree with is the process.

This was originally Bill 65, the post-secondary bill. It was already an omnibus bill, and now it has become part of a super omnibus bill in that they attached it to the budget.

We would have liked some hearings on Bill 65, the former post-secondary bill. I think it would have been in the best interests of the institutions that you are reinforcing in this bill, for example, the University of Ontario Institute of Technology. There were concerns brought to our attention from various stakeholder groups which, through correspondence with the Durham College board of governors—the college that will change into this university—balanced the arguments. But we would have liked the public to hear both sides of that argument.

For example, one of the concerns was the quality, and I brought this up in the Legislature. Through correspondence with the future University of Ontario Institute of Technology, I learned a couple of things. First of all, one of the criticisms was that the president of this future university did not have a PhD. I've learned in the process that the president is pursuing a PhD. I heard concerns about the quality of the programming. I've since received biographies of the six deans who have been hired by this institute. They are excellent people; in fact, one from McMaster is a leader in her field.

These are the things the public should have heard publicly. It would have been better for the institutes themselves to have these aired publicly, so there wouldn't be these conflicts that occur from time to time between different institutions. The healthy competition would have been healthier had this bill been debated publicly, the way most bills should be debated; unfortunately, with this government, they're not.

**Mr Christopherson:** I thought it was interesting that the closing comments of the member for Scarborough Centre—and I wrote them down, so I think I've got it accurately. She said that her government was interested in providing "the finest education possible." She went on to talk about how education is the cornerstone of the future for our citizens, and yet I want to keep bringing this government back to what's going on in education in Hamilton. There's nothing at all that reflects the phrase "finest education possible" when you've got the kind of need that exists in Hamilton.

Let's remember, it used to be that boards of education set their own budgets, and they faced their own constituents in elections as to whether or not they did a good job. I remember that when this government first took power they eliminated the mandatory aspect of JK. You wouldn't fund it. Our school board trustees said, "That's not good enough for Hamilton's children." So they provided the funding for JK. What that meant was a modest increase—yes, a modest tax increase. Do you know what happened to those trustees in the following election? Every trustee who voted for that tax increase was re-elected. This government then said, "Well, obviously these trustees aren't about to do our dirty work, so we'll take away their ability to set their own budgets." Now you underfund educational assistants. The need in September 2001 was 800. Do you know how many you provided for in Hamilton in 2001?

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** First of all, I compliment the member for Scarborough West for her speech. I think it was articulate, well-researched and a good defence of the budget and the government.

I understand the histrionics on the other side with respect to the education argument. I think what they tend to forget, with respect to the education argument, is the—

**Mr Christopherson:** Tell that to our kids.

**Hon Mr Stockwell:** Well, look, I have kids. I understand the heckling from the Deputy Speaker. I have children in the school system as well, and I do have kids in the public school system. We must understand that the thrust of the bill, when it was originally introduced in this House, was to bring balance and fairness for children to be educated across the province of Ontario.

It was a well-known fact that although school funding in Toronto had reached certain levels of spending, there were other parts of the province—like Huron, Bruce, Grey, all kinds of areas—where it was depressingly low. What had happened was that we were getting two tiers of education, depending on where you lived. Now, not anyone in this House would suggest, simply because you

happen to live in a small town without the tax base, that somehow you should accept a lower standard of education for your children. That was the thrust of the bill. It also allowed equitable financing to the separate school board, and the separate school board got a windfall of money under that new program.

I don't deny that some of the issues are contentious to some degree, but what did we talk about? It was that no matter where in this good province of Ontario you grew up, you could expect the same level and standard of education regardless of where you were. I always thought we all believed in that, and I always thought we all believed that whether you sent your kid to a separate school or a public school, you would get the same access to public dollars regardless of what school system you went to. I thought we all believed in that as well. Systematically, year after year, there were school boards that were terribly woefully underfunded, and it put balance back into the system.

I thought we were talking about fairness. I thought we were talking about propriety. I thought we were saying all kids deserve equal levels of education.

**Mr Gerretsen:** What I have to say to the last speaker is that yes, it's true that now everyone is underfunded. For the life of me I cannot understand. He's been an elected official at both the local level and now at the provincial level, and the same thing applies to the school trustees out there. Is he suggesting that all of these boards that are passing budgets with severe deficits are doing so—why? To get even with the government, or don't they have the interests of the children at heart?

Let's be perfectly honest about this. What the people of Ontario should understand is that all education funding now comes from the province in either one way or another. They decide how much comes from the property tax base and they decide how much they're going to put in annually. The local school boards do not have any taxing power. They have absolutely no control as to where the money comes from. All they try to do is run an efficient, high-quality education system within the areas where the boards operate, and a lot of boards have come to the conclusion that they cannot do it with the amount of money that's being provided by the province. That's the long and the short of it.

I can't for the life of me understand how the government somehow is trying to insinuate that the trustees are doing this because they like passing deficit budgets. Nobody likes to break the law. It's the fact that you're underfunding the entire system that causes the system to be the way it is and that it isn't the high quality all of us in Ontario want.

**The Acting Speaker:** The member for Scarborough Centre has two minutes to respond.

**Ms Mushinski:** I'd like to thank the member for Hamilton Mountain, the member for Hamilton West, the Minister of Environment and Energy and the member for Kingston and the Islands for contributing to this discussion.

It was very interesting because the only member I heard speak in terms of responding to my address spoke about his children. It was interesting because I didn't hear anybody else actually refer to children.

I tried to confine my discussion to providing opportunities for our kids. My grandson is going to be six years old on Thursday, and I truly believe that everything in this budget reflects the need for protecting opportunities for the future of our children. It was interesting because in all the interesting discussions in contribution to this debate, it was only the Minister of Environment and Energy who spoke about his kids.

Let's just get back to what I was talking about. It was about investment and what this budget will do if passed. It was about investment in post-secondary education. It talks about a space for every student, it talks about increasing operating grants and it talks about meeting skills shortages; by 2005-06, \$15 million to support collaborative degree programs in nursing education; it talks about \$14 million by 2005-06 for the expansion of undergraduate medical school enrolment. Those are the kinds of things we need for our future.

**The Acting Speaker:** Further debate?

1650

**Mrs Bountrogianni:** I'll be sharing my time with the member for Kingston and the Islands.

I am really happy to speak to this budget bill, Bill 109. I wish we had more time. The member for Scarborough Centre said that no one talked about children. Let me now have the opportunity to talk about children. I also have children in the public system. I have one in the public, and one is in grade 9 in the separate, and I can say they're suffering equally right now under the tax cuts of this government that are causing the hardships in the school boards.

My son in grade 9 shares lockers, shares books; my daughter's class has to bring Kleenex every week—little things like that. There are a lot of user fees that I'm very fortunate I can afford that a lot of parents can't afford. For example, music lessons used to be part of the curriculum. We pay for them now. Again, my children are fortunate; I can afford it. But many children can't afford to be part of the strings orchestra and so forth.

I want to applaud my colleague from Hamilton West, and earlier my colleague from Hamilton East, for supporting the Hamilton public board of education in their stance against the government and the poor budgets. I too applaud the Hamilton board of education. It does take courage to stand up against this government. The hospitals have suffered for it, the universities have suffered for it and certainly, as I will get to in a moment, the colleges continually suffer because of it.

I worked at the Hamilton board for 11 years and I can tell you their commitment to children, and particularly special education children, is second to none. When I was there in the psychology department, children waited approximately three months to be assessed. Again, three months is a long time when you're a parent waiting for your child to be assessed, but it was a reasonable amount



of time. Since 1995, that has crept up to a one-year waiting period.

I understand the Minister of Labour's point about equalizing the money across the province, but basically this has caused hardship to those boards that for various reasons needed the extra money. For example, Hamilton has the second-largest number of immigrants per capita in the province, so of course we're going to have English-as-a-second-language needs. Hamilton does have a world-class centre called Chedoke-McMaster. Families who have special-needs children move to Hamilton because of this place. So of course we have a lot of special-needs children, much more than the rest of the province per capita, and that is proven.

We have other issues too and the member for Hamilton West knows these very well. Some of the people I'll be talking about live in his riding, as well as in my riding, but particularly in downtown Hamilton. The poverty rate is very high in Hamilton and always has been. As well, we have I believe the highest teenage pregnancy rate in the province. So we have a lot of challenges in Hamilton. It's a great city but we have a lot of challenges.

The fact that the Hamilton board of education's budget was lacking is not an accident. We have children with needs, we have families with needs, and the board was a leader in the country. If you said "Hamilton board" out in British Columbia 10 years ago, they knew about our special education department. I don't think they can hold their heads up with the same kind of pride that they could 10 years ago, and it isn't the board's fault.

There; I talked about my children, member for Scarborough Centre. I've talked about a lot of children over the past three years in this place. In fact, by deferring the corporate tax cut rate instead of cancelling it, this government could have put that money into some very important programs.

The member for Nickel Belt yesterday did an excellent job in highlighting the needs of autistic children and the intensive behavioural therapy they require. It is expensive therapy. I used to work with autistic children and I can tell you it's very difficult to help those children. But this therapy, after many years of research, has been shown to be phenomenally effective. Of course, they don't lose their autism, but they can behave normally. They can actually behave normally after years of reinforcement from this therapy. Yes, it's expensive, but in the long run we save money if these kids can become functional adults. So the money could have been put in there.

Earlier today in a member's statement I brought the plight of one of my constituents, Marie Clayton. She had been waiting for two years for a spot in Macassa Lodge, on the Mountain, and finally she got it, but because the physician at Macassa Lodge is not taking any more patients and because she doesn't have a physician herself, she can't go.

Four other constituents have called me in the last three months. We've been calling doctors and calling doctors. We finally have a meeting between one doctor and one of

my constituents next week. There are no guarantees. We don't want to give false hope, but that's the best we could do, and my constituent assistants have been phoning, phoning, phoning.

The reason for this is that a physician attending to a patient in a retirement home receives \$47 per visit whereas a physician attending to a patient in a long-term-care facility receives only \$17. That differential is what makes it very difficult to fund doctors and for patients to find doctors in these long-term-care facilities. As well, even if they do get a spot and even if they're fortunate enough to have a physician, as my leader earlier stated, there isn't adequate funding at these facilities for some very basic needs.

Another crisis that is brewing in our city of Hamilton is home care. I received a call earlier today, and VHA, one of the home care agencies, is struggling right now. They have a four-year contract. There was not one penny in the budget for home care and they are struggling. We will probably have a further crisis in our city in home care very soon because of that.

There was nothing in the budget for shelters. There was nothing in the budget for implementation of the Hadley recommendations. Again, it's not that this terrible problem has disappeared—it hasn't disappeared. Just seven weeks ago in the Premier's own riding a woman was run over by her husband. Three months ago in my riding a 31-year-old woman, the mother of three kids, was bludgeoned to death by her partner-husband. I know we all want to solve this problem but we can't do it without implementing the Hadley recommendations. There was no mention of that in this budget.

As well, a father from Burlington wrote all of us, I believe, seeking assistance for his son, Kevin. There wasn't any money, for example, in the Ministry of Health for the assistive devices program. Kevin Stone has moderately severe cerebral palsy and requires a walker to move about. His father has applied to the assistive devices program for two walkers—an indoor walker and an outdoor walker. I just want to point out that this father has done everything he can for his son. He drives his son back and forth to school, so the family is not dependent on the school board for driving back and forth. The son has to come home for lunch, for various medical reasons, and the father has taken care of that aspect. He has taken responsibility. This particular solution wouldn't even cost any money. Two different ambulation aids are allowed, but they consider the indoor and the outdoor walkers as the same type, so they don't give the man two for his son. A simple change in regulation would actually solve Mr Stone's problem, but here's another example of this government's priorities.

The other aspect the member from Scarborough Centre talked about that was sorely lacking in this budget was funding for colleges. Yes, the universities were funded, after a lot of lobbying from the universities themselves, but the colleges don't have the sophisticated lobbying that the universities do. They don't have the history and they don't have the resources to lobby

government, and they receive less than 7% of the double cohort money. This is at a time of a skilled worker shortage. There has been a lot in the media about this gap in the last few days and I sincerely hope the Minister of Training, Colleges and Universities addresses this with the Premier and puts more money for colleges into the budget. It's not too late. It's getting there, because the double cohort is coming very quickly, but it's not too late.

In fact, yesterday the minister had a press conference saying that all of the students who applied to universities had gotten in and therefore they had solved the double cohort problem. Well, in fact, they haven't. Number one, the double cohort is in another year—we're talking about September 2002—and second, we don't know how many of the students received their first choice. When you look at Western, for example, their applications were up 20% but they will only increase their acceptances by 6%. For them it's a quality issue. They don't want to have overcrowded classrooms. Unfortunately, 14% of the students who applied to Western will be very disappointed.

The largest double cohort in the country is in the 905 area, and many of those students apply not only to the universities here, close to home, but also to the other universities. I would like to know the statistics of where they got in. Traditionally, the 905 students do not go away from home. The majority of them actually commute back and forth to university. I think they will be in for a rude awakening in 2003.

To summarize, by delaying the corporate tax cut and not cancelling it, by delaying the private school tax credit and not cancelling it, monies that should have gone into health care, education, the environment and many other areas did not go there. I think there will be dire consequences as a result.

1700

**Mr Gerretsen:** This place never ceases to amaze me. We can be talking sometimes on a one-page bill for three or four days, and yet here we have a bill that contains about 20 different sections dealing with anything from secondary education to primary education to fuel tax to tobacco tax to changes to the Taxpayer Protection Act. You can go on and on. It's like an omnibus bill, and yet we're expected to debate it in the same length of time and do it any justice at all, a bill that's almost 70 pages long.

There are many different aspects one could talk about. The one I would like to address today is the question of community care access centres and long-term funding. I don't think the people of Ontario should be under any misunderstanding. In this current budget there is absolutely no increased funding for community care access centres. These are the centres that provide our home care services, our nursing services for people who are able to stay at home rather than in long-term-care facilities or in hospitals. There's absolutely no increased funding in this budget.

What really surprises me about this is that I know the government has heard all the complaints we hear on this side of the House, where people used to get six hours or

eight hours a week of nursing and home care services so they could live in their own environment and not have to go to a long-term-care facility, or could recuperate from a hospital visit at home, rather than in hospital, in a much less costly and more effective way as far as the individuals are concerned, and where people have been cut off, where home care services have been totally terminated for a lot of seniors. Yet there has been absolutely no increased funding.

You may recall that the government sort of tried to do a finesse on this issue just before last Christmas when they got rid of all the existing boards, boards of well-meaning individuals in our communities, and replaced them with other boards. They somehow were trying to get the people of Ontario to buy into the notion that if we just changed the boards, somehow that would give greater service to the seniors who actually need them at home. I would dare say that the boards that have been appointed are of good quality individuals as well. The government has much tighter control over them. The point I'm trying to make is that by changing the boards without increasing funding for community care access centres, the lack of services that were there before for our seniors is still going to be there.

I ask the government, why didn't you increase the funding for community care access centres? We all agree with the idea that if people can stay in their own homes longer, and if we have to provide them with a little bit of nursing help and care, that's preferable to having them go into an institution.

The second area I want to talk about is long-term-care facilities. I know the government loves to talk about the fact that they're going to add, over the next 10 years, some 20,000 new beds. Laudable as it is, we shouldn't lose sight of two important features. The first feature is that this government, through hospital restructuring, closed a lot of hospitals and a lot of hospital beds in this province. Basically, 5,000 chronic care beds that used to be part of the hospital system have in effect been removed from the hospital system. So it is only logical that those individuals who are in those chronic care beds have to go somewhere, and obviously the place for them to go in most cases is long-term-care facilities. So although it is laudable to build new beds, one of the reasons why these beds were announced and are actually being built currently is that they are needed because they were closed in the hospital sector. It's as simple as that.

The other issue that I want to bring up in that regard is that the government loves to talk about these new beds. What we've been talking about on this side of the House is that the operational funding that is required by the long-term-care facilities—by our nursing homes, by our charitable homes, by our municipal homes, by our for-profit homes for the elderly that are out there—has to be increased.

I found it very interesting that in the recent Price-waterhouseCoopers study that was done in which 10 jurisdictions across the western world, both in the United States and in Europe, were studied as to how much



government actually puts into long-term-care facilities on a per bed basis, on a daily basis, a number of things were quite clear. I'll just refer to that. I've done this before in the House but I feel so strongly about it that I think it bears repeating.

The first point is that Ontario ranked dead last in meeting the needs of residents in nursing homes and homes for the aged—last—below Mississippi, below Alabama, below three or four of the jurisdictions in Europe that were compared; and that Ontario long-term-care residents received the least amount of registered nursing care and the least amount of nursing and personal care, on average about two hours per day.

We all know, from having visited nursing homes, from having visited the other long-term-care facilities that are out there, that the people who are there are much older and in a much frailer condition than they were 10 or 20 years ago. People go into these places, into their new homes, much sicker, in a condition where they need a lot more help, and yet we in Ontario spend less on a daily basis for nursing care and for personal care than any other place that was studied in the government's own funded study. I think that is deplorable, particularly when you consider that about two thirds of the people who live in our long-term-care facilities have restricted ranges of motion and simply cannot look after themselves on an ongoing basis. Many of them, over 60%, suffer from some form of dementia.

Yes, new money is required for the beds that are finally coming on stream, for the capital cost that's involved in that, but what we've been talking about is putting some money in to increase the operational support for these beds. Now, the government will say, "Yes, we put \$20 million in," but \$20 million is a drop in the bucket. According to the study that was conducted, the amount that is needed is about an extra \$200 million per year, or \$750 million over the next three years. Is that doable? I suppose it is if we put all our efforts into that.

I'm a realist. I realize full well that there are all sorts of other demands on the taxpayers' dollars as well, but we can at least start to make an attempt to meet those needs so that we can give the elderly in our long-term-care facilities the kind of care they deserve. They have contributed a lot to this province. They have made this province what it is. They have contributed to making Canada one of the best countries in the world to live in, and the least that we owe them, a group of individuals who perhaps don't have the lobbying groups behind them the way so many other people have—many of these people don't speak out on their own behalf—the least we can do for them is provide the best care possible.

We heard today again that the average senior in one of these homes gets one bath a week. We had people here a couple of weeks ago from one of the homes. I believe it was Leisureworld here in Toronto. Out of the 15 or 20 seniors who were here, they all confirmed that they only get one bath per week. I don't think that's good enough for our elderly. The only way we can improve that is by hiring more competent staff for these homes, and the

only way that can be done is by the government increasing the per diem. It's very interesting to note, when you look at what the average senior pays in one of these homes and compare it to other provinces, in Ontario the minimum daily accommodation rate a senior pays is \$44.21. Now, it's interesting. When you compare that to Alberta, it's \$28.22. As a matter of fact, every other province, of the other seven or eight I've got here, is below \$30 per day.

So I say to the government, a society ultimately gets judged on the manner in which it deals with the most vulnerable people in our society. Certainly the 60,000 seniors who live in these facilities and the many other seniors who are on waiting lists trying to get in, some for as long as two to three years, deserve better than what we've been doing. They don't need a tax cut; they need help.

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**The Acting Speaker:** Questions or comments?

**Mr Christopherson:** I'm pleased to rise and comment on the remarks of the members for Kingston and the Islands and Hamilton Mountain. Specifically, I want to respond to the comments of the member from Hamilton Mountain because she spent so much time talking about the Hamilton education system. I want to compliment the member for Hamilton Mountain on her tenacity in terms of standing up and fighting for Hamilton issues. We take great pride in Hamilton that, regardless of what party you come from, at the end of the day, when we're under the shadow of Toronto the way we are, the only chance we've got is to stick together on Hamilton issues and not let partisan membership decide whether we're on or off an issue. She certainly has continued and built on that tradition, and I commend her for it.

I would like to add to what the member for Hamilton Mountain said by reading into the record a number of statistics that stem from a news conference that I attended a week ago yesterday with the chair of the Hamilton public school board, Judith Bishop, who also happens to be the school trustee for wards 1 and 2, which are in my riding. These are the number of positions that our board has lost from 1995 to last year. From 1995, when you took power, to last year, here's what we've lost: 140 elementary teachers; 50 secondary teachers; two consultants and resource teachers; 53 secretarial staff; seven principals; three vice-principals; 80 professional support staff, made up of social workers, lunchroom assistants, computer technicians and psychologists; 69, almost 70, board administration staff; and 233 school operations plus a 0.25 for transportation. That is 639 positions lost to our school board because of you.

**Mr Gilchrist:** I'll see if I have better luck this time.

The member opposite certainly touched on a number of subjects, every one of which is in fact covered by the budget. There's no doubt that the record spending on health care does not seem to be recognized by the member opposite. He also seems to have ignored the lines dealing with increased support in our education system, \$556 million more. He continues to spin the line that

somehow there is nothing but doom and gloom across this province. I know they have a hard time explaining the 1999 election and how, after four years and all of the changes that had been brought in consequence to the dire circumstances we found ourselves in in 1995, they dismissed the 50% of the people in Scarborough East and a similar percentage in all the ridings represented by government members. Somehow all of those voters didn't know what John Gerretsen knows, and they didn't have a connection to the health care system, the education system; only the experts sitting opposite know.

I know that the Oracle of Delphi—sorry, the oracle from Kingston would have us believe that he is the font of all knowledge, but I'm going to tell you, when I look at my hospital, which has seen a 50% increase in its funding, which had two empty floors since 1967 that had never even had drywall in them, where governments of every stripe had let that building sit one-sixth empty, and it's filled today with more doctors, more nurses, more pieces of equipment—a \$5-million MRI, a new breast cancer screening and treatment centre, a new pediatric centre. In fact, \$10 million was just given to them to add an entire new pediatric wing.

That's the reality of health care in Ontario, multiplied in community after community all across this great province: a massive investment, a 50% increase in spending since we were elected in 1995, in stark contrast to the begging and the theft by your cousins in Ottawa.

**Mr John C. Cleary (Stormont-Dundas-Charlottenburgh):** First of all, I'd like to congratulate my colleagues for their well-thought-out speeches. The same things that they talked about apply in my community.

The budget did nothing to increase home care budgets. We've still got people who need the service and there isn't anything there for them. Long-term-care facilities are suffering from chronic underfunding. Not only are there long-term waiting lists to get a spot in the facility, but once you get there you only have 15 minutes of programming per day and one bath a week. Long-term care is a big issue in my community. I guess the new funding amounts to about \$1.65 per day.

The other issue that I would like to talk a little bit about is the health care restructuring that came to our two hospitals. A local committee had made a decision on what they wanted in our community, something that would work. Now they've asked for some extra funding to look at the decision of the health care restructuring commission. Dr Sinclair and his gang came into my town and made a mess of the community. Our community doesn't know how they're going to get out of it. It's my understanding that his restructuring commission cost the taxpayers \$7 billion, and that money could have been better spent in hiring nurses and people to run the facilities.

Anyway, I'm just hoping the minister will come through with some funding to get this mess straightened out once and for all.

**Mr Martin:** I want to commend the member for Hamilton Mountain and the member for Kingston and the

Islands for speeches this afternoon that were both very well delivered and an excellent critique of the budget. One has only to go back to one's community and talk to the real people out there and look at what's happening to the different systems to understand that what this government is delivering is not in any way hitting the mark.

I used the analogy a short time ago of a duck in a thunderstorm to describe how this government is operating. They want to shift and yet they don't want to shift. They present a different face and yet when you dig deep enough you find that they are really the same. One minute they're going this way; the next minute they're going the other.

All you have to do is look at their track record on Ontario Hydro: one minute they're privatizing because they are hearing from their friends on Bay Street; the next minute they look at the polls and they realize that a whole lot of people don't think it's a good idea, so they're not going to privatize it. Then they are going to privatize half of it, but not till later. Nobody knows where they are going or what they are doing. It's very confusing.

Last year, after September 11, they decided to move up the tax breaks in the budget. Then they decided they want to defer the tax breaks. Now we hear today the Premier musing, "Maybe in the fall we'll do the tax breaks." So you really don't know; you don't know where you're going or what you're doing. There's no anchor here. It's like a duck in a thunderstorm.

With regard to the disabled, I bring forward a bill that says, "Give the disabled in the province a little increase." They say no. Then the minister comes back last week and says she's considering. I get up yesterday in the House and ask a question and she, by not answering, indicates no again, I suppose.

They don't know. They don't know what they want to do; they don't know where they want to go. They know they are in a difficult time. They have Bay Street talking to them. They are looking at the polls. They know they have an election coming up. A duck in a thunderstorm: that's what this government is, and it doesn't serve any of us well.

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**The Acting Speaker:** In response we have the member for Kingston and the Islands.

**Mr Gerretsen:** You always know that you've hit a nerve on the other side when some members—not all members—on the other side start using personal attacks. I don't know what the member from Scarborough East was talking about. I didn't even talk about health care. I talked about long-term care and long-term-care facilities.

I'm not sure if he saw the chart that was in the National Post this morning. I found it very interesting. In terms of gross domestic product—and this comes from your own news organ, the National Post—the amount of money that we spent on health care in Canada is exactly the same percentage that we spent in 1995. It's 9%. Check the National Post today.



I was talking about trying to do something for those people, for those individuals who lie in those nursing homes and who are in long-term-care facilities who can't speak for themselves. According to the 50,000 petitions we received, staff look after them for about four minutes a day, to assist them in getting up, getting washed, dressed and to the dining room. They get about 15 minutes of programming per day. They get one bath a week.

What I'm saying to you is that, to my way of thinking, it is more important to see that those people are properly looked after than to provide another tax cut for another group of individuals. That's what government should be all about: it should be helping the most vulnerable in our society the best way it possibly can. Your government is not doing that right now—never did.

**The Acting Speaker:** Further debate?

**Mrs Julia Munro (York North):** I wish to rise today and discuss the Ontario budget. I want to focus on a couple of issues, but before I do, I want to draw everyone's attention to the fact that this was, once again, the fourth in a row, a balanced budget.

The other most important priority in this budget was the fact that it dealt with the priority programs of health, education and the environment. In health, the spending has increased by 7.3%. This means that since 1995 the health care budget in this province has risen from \$17.6 billion to \$25.5 billion. This demonstrates this government's commitment to health care in this province. As well, in education, we are currently spending \$14.3 billion. That includes a \$400-million increase over 2001-02. Finally, in the other priority program, in the environment, we are spending \$174 million to upgrade municipal water and waste water systems. These are the priority issues that are referenced in the budget.

In today's debate, I would like to spend some time discussing how initiatives in the Ontario budget support municipalities and the quality of life in Ontario. The government understands that strong cities, towns and rural communities are vital to achieving economic prosperity. For this reason, the province has undertaken numerous measures designed to ensure the continued success of our municipalities. We implemented comprehensive and far-reaching reforms to the property tax system to improve fairness and to restore the health of this important revenue source for municipalities.

Prior to doing this in 1998, many municipalities had not updated their property assessments in decades. The result was that in many municipalities assessments were 20 to 50 years out of date. The current value assessment system now in place provides up-to-date assessments that are both fair to taxpayers and provide a more reliable assessment base for municipal and education property taxes.

Ontario is a leader in property tax reform. In undertaking reform, the province committed to providing more than \$1 billion in property tax relief, with \$500 million going to businesses and \$500 million going to residential property owners. In 2002, property taxpayers will save

over \$650 million due to the education tax cuts to date, from 1998 to 2002, with businesses saving over \$400 million and residential property owners saving over \$250 million.

In 1998, the province undertook local services realignment, the first major reform initiative to transform the manner in which the province and Ontario's municipalities manage and fund key services. The local services realignment changed the cost sharing arrangements of 16 programs, resulting in a transfer of approximately \$2.5 billion in net costs to municipalities. In exchange, the province provided \$2.5 billion in residential property tax room to municipalities. To ensure a fair and even exchange of responsibilities took place for every municipality, the province also provided municipalities with funding through the community reinvestment fund. For 2002-03, the province will provide \$582 million in that community reinvestment fund to municipalities.

The introduction of the first new Municipal Act in Ontario in over a century ensured that the legal and financial powers of municipalities were also part of the reform and would support the modern responsibilities of municipalities. This act will promote well-administered, economically healthy communities, will also support municipalities in delivering local services in innovative and efficient ways and, finally, will enable municipalities to charge user fees and operate services on a cost recovery basis where appropriate.

To further improve the state of municipalities, the province also launched Smart Growth to promote and manage growth in ways that sustain a strong economy, build strong communities and promote a clean and healthy environment. Smart Growth initiatives have addressed new transportation corridors essential to meet the province's long-term growth needs, introduced brown-fields legislation to revitalize abandoned urban land and created Smart Growth panels to advise government on issues that cross municipal boundaries. The province will continue to work in partnership with municipalities, guided by Smart Growth principles, to ensure that communities have the infrastructure they need to sustain their contribution to Ontario's economic prosperity.

Through the 2002 Ontario budget, the province is also investing significantly in municipalities through SuperBuild. SuperBuild was created to ensure that Ontario has first-class infrastructure for the 21st century. Of the \$2.7 billion that SuperBuild plans to invest in 2002-03, \$520 million, including federal flow-throughs, will be invested in municipal infrastructure programs, such as helping municipalities make investments to bring them into compliance with the new Ontario drinking water protection regulation and make other improvements to their water and waste water systems; improving and modernizing sports, cultural, recreational and tourism facilities; enhancing and expanding public transit and renewing municipal bus fleets; and investing as a partner in strategic infrastructure projects in major urban areas, including the Toronto waterfront revitalization initiative.

Under SuperBuild Millennium Partnerships for strategic investments in large urban centres outside the GTA, eight urban areas are eligible for \$271 million in millennium partnerships multi-year funding. These areas are London, Hamilton, Niagara region, Ottawa, Sudbury, Thunder Bay, Waterloo region and Windsor. These municipalities will be able to use their funds for various projects, including downtown revitalization, water and sewer upgrades, environmental remediation and road improvements.

The Ontario budget announced strategic infrastructure investments in the GTA through SuperBuild to help the area meet its economic and population growth needs. These investments will enable the GTA to remain among the world's first-class urban areas.

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The province has made GTA capital investments in health care, education, transportation, justice and technological innovation. Investments were committed to revitalize the Toronto waterfront, to new hospital and long-term-care facilities construction and renovation in the GTA, to major projects at colleges and universities to address post-secondary growth needs, and to upgrade and expand courthouse facilities.

To improve the quality of life of our communities, the province is investing \$148 million in 2002-03 in the greater Toronto area. To unlock the gridlock challenge in the GTA and the Golden Horseshoe, the province took back responsibility for GO Transit operations and base capital funding.

Where municipalities choose to borrow funds to support their investments in infrastructure, the province wants to ensure that the borrowing costs are as low as possible. The government believes that municipalities must be able to move forward with important infrastructure projects such as new water treatment facilities, sewers and roads. Opportunity bonds would provide them with a low-cost financial tool for infrastructure development and give them more control at the local level.

The government will consult and work in partnership with municipalities, the private sector and other stakeholders to develop the most efficient and beneficial design for tax-free opportunity bonds.

The government is also dedicated to assisting Ontario's smaller and more remote communities.

We are committed to working with municipalities, the federal government, the private sector and others to meet the needs of our urban communities. There are many challenges ahead, but we are certain that our commitment to the health of our communities in this budget and to our quality of life will guide us through.

**The Acting Speaker:** Questions or comments?

**Mr Michael Gravelle (Thunder Bay-Superior North):** I don't think it's unrealistic for us to expect that this budget should contain provisions to help out people who are most in need of care. There are many aspects of the budget; I wish I had more time. For example, the fact that there was no additional money for home care is truly

startling. I know what the government members will say. They'll talk about all the money they've put into home care over the years, but what they won't tell you is that this is all because of the whole restructuring of the health care system that they forced on the province.

They were the ones who made the decision that they were going to close hospitals, cut back on the number of beds and have people cared for in their homes. The fact is that we now have a situation where for the last year and a half there's been a freeze on the home care budget. So to not see an increase in the home care budget this time around is truly startling and very upsetting. We all have stories of constituents who are truly in desperate need of more home care and are simply not receiving it. I think it's startling that the government made no reference to that. The fact it's not there is a disgrace.

Earlier today my colleagues from Kingston and the Islands and Hamilton Mountain were talking about long-term care. It is simply a tragedy and a disgrace that we have people who have earned good care by the province, who are living in long-term-care facilities and are getting at best one bath a week. That is also wrong. An increase in the operating funds for our long-term-care facilities should have been there.

My colleague from Hamilton Mountain made reference to children with autism. If they provide intensive behavioural intervention for these young children, they can grow up to be fully functioning young adults. If you don't do it, the consequences are extremely dire. It's awful to think that at the age of six suddenly there's discrimination that comes into place and you can no longer receive the service when you're past the age of six.

There are many other things that should be there, and I certainly would like the member for York North to respond as to why those things are not in the budget.

**Mr Christopherson:** It was interesting listening to the comments of the member for York North. It really struck me when she talked about the fact that the government took back responsibility for GO Transit. I have yet to hear—maybe that will change in the two-minute response—a member of the government say, "We made a mistake and we shouldn't have downloaded GO Transit to the municipalities in the first place." But they don't do that. If that happens this afternoon, wonderful, I'm pleased I played a role in getting them to admit that they actually see they made a mistake. In every other area, it's never your fault. It's always somebody else's fault.

The reason you took back GO Transit wasn't out of the generosity of your heart; it was because you finally realized what we told you from the moment you announced it: municipalities can't afford to fund the provincial rail system. If you had any kind of real commitment toward the environment, not only would you take back control but you'd be making major announcements of investments in GO; new money, new investment.

What about public transportation? I know in Hamilton the HSR desperately needs funding; there's no commitment there. DARTS, which is our system for the dis-



abled, is getting really sad. I say to the member for North York, I don't know what the situation is in your community, but in my community they don't have the money to provide anywhere near the level of demand on the service. Aren't the disabled first-class citizens like everybody else? Shouldn't they have the same opportunity to travel around their community? Where's your commitment to the disabled, the environment and public transit?

**Mr John O'Toole (Durham):** I think the member from North York is far too modest—

**Mrs Munro:** York North.

**Mr O'Toole:** York North, not North York; I understand, but you could easily take care of the people in North York as well.

The confidence that's been expressed, even in the budget statement—I think it's important to put on the record that Minister Tsubouchi, who's the Chair of Management Board, has established a parliamentary assistants' committee on program evaluations, chaired by no other than the member for York North. I have to commend her. Also on that committee—I'm surprised I'm not on there—with Julia Munro is Frank Mazzilli, the member for London-Fanshawe; Marilyn Mushinski, the member for Scarborough Centre; Garfield Dunlop, a very hard-working member, from Simcoe North; and Wayne Wettlaufer, the member for Kitchener Centre, an esteemed member with a financial mind like a Swiss banker.

I just say this: I feel very confident about this program review. Together with the principle of zero-based budgeting and the commitments made to health, education and the environment, it's been the right thing to do in making the right choices. The people of Ontario know our Premier, Ernie Eves, listened. Some would say he blinked. I think he listened and acted appropriately.

I would say that Janet Ecker, who I know extremely well as the member from Ajax-Pickering and now the Minister of Finance, was somewhat saddened when she had to roll back the education tax credit and cancel that for a year. I'm confident that going forward she will see the light and re-implement it as soon as possible.

I'm also very happy with the role of Rob Sampson, the member for Mississauga Centre, to work with the Ontario Financial Review Commission to do the right thing in this province. There's such strength on this side. I see Frank Klees, Cam Jackson and Bert Johnson. The strength in this caucus and the utilization by our Premier is well worth taking note of.

**Mr Richard Patten (Ottawa Centre):** I'm pleased to respond to the comments by the member for York North, who is one of the more reasonable voices on that side of the House and usually shares her views in a compassionate, kind manner.

I must say, though, the issue of omission I think is one of the cornerstones of this budget. I would like to just recount one example, because many people have talked in terms of generalities. This afternoon I phoned a constituent of mine—his name is Mr Menard—and spoke to him. I had met him a few times at a seniors' residence.

He's on his own. He's 88 years of age. He has cataracts and he has prostate cancer. He had three hours and 10 minutes of home care that was very valuable for him. It helped in some preparation of food and so he could get his bath. He cannot take a bath on his own. I felt really badly. The reason I felt badly, of course, is that these are our parents and grandparents who have served this country well, and now, in their time of need, we're not there for them.

It also points out a false sense of economy. One of the reasons I believe the government was initially so strongly in favour of home care was to relieve some of the pressure on hospitals and to deal with quality of life at home, which is the best place for a patient to be: closer to relatives, friends or their own particular environment. So I want to point that out. That to me is one of the disappointing aspects of this particular budget, by virtue of its omission.

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**The Acting Speaker:** Response?

**Mrs Munro:** Thank you to the members for Thunder Bay-Superior North, Hamilton West, Durham and Ottawa Centre.

In the few moments I have to respond to the comments that have been made, I'd just like to concentrate on two areas. The first one has to do with health care. Today in this province 47 cents of every dollar collected is spent on health care. I think the issue then that needs to be addressed is one shared by the provinces across the country, and that of course is the fact that there are limits on the federal contribution, which simply makes it extremely difficult for all provinces to deal with health care.

The other area raised was the issue of the environment and transportation and transit. I would just draw to everyone's attention the commitment that was made a few months ago with regard to the provincial government's commitment to transit, in the way of a \$9-billion commitment to allow municipalities to invest dollars into their own communities for transit.

I can speak directly to this in relation to the region where I live. It has allowed, through \$10 million being made available in York region, for an extraordinarily ambitious York regional transit network that is being provided to the residents of my riding and the other ridings of York region. So it's very clear to me that it demonstrates this government's commitment to transit and, certainly, the environmental concerns that are raised with regard to decreasing the amount of car travel.

**The Acting Speaker:** Further debate?

**Mr Cleary:** I'd like to share my time with the member from Middlesex.

I am pleased today to have a few minutes to comment on the budget that was announced last week. It is hard to believe the government can claim to be good money managers. When the Tories came to power in 1995, they inherited a \$91-billion debt. Now the debt has skyrocketed to \$111 billion or more. That's over \$20 billion in seven years. I don't—

**Mr Wettlaufer:** That's \$110 billion, John.

**Mr Cleary:** Mine says \$111 billion. I know you want to claim that you're decreasing the debt and all that.

When the debt is increased, some of our most vulnerable citizens and seniors suffer. The budget did nothing to increase the home care budget. Maybe the Minister of Finance could come up to my riding and hear from the seniors who are trying to stay in their own homes as long as possible and cope with very few hours of home care. But what's the alternative? Long-term-care facilities are suffering from chronic underfunding. Not only are there long waiting lists, but it's hard to get a spot. When you do get a spot, you get 15 minutes of programming per day and one bath per week.

According to a news release from the Ontario Long Term Care Association, less than one quarter of the \$200 million announced in the budget is actually new operating costs. The remaining funds were announced previously, some back as far as 1998.

The new funding provided in the budget works out to be about \$1.65 per day. According to administrators in my community, that does nothing to help with what they're trying to do. The money is a far cry from the \$750 million over three years that the administrators and the Ontario Long Term Care Association asked for.

Unfortunately, long-term care and home care are not the only things that are suffering from government mismanagement. In my riding, the hospital restructuring commission has been talked about since the commission came to town in 1998. That's almost four years ago and nothing has happened since. Our community wants an independent study done to determine what restructuring options are best for our municipalities and the stakeholders. I have written to the Minister of Health asking for a few dollars of funding so they can conduct a study. The local health council had made a decision on what was good for my community, and Duncan Sinclair and his health care restructuring commission came to town and changed everything. My understanding is that his committee, over the period that they worked, cost the taxpayers of this province \$7 billion. Now we have to try to figure out how we're going to get out of that and plan a hospital which will serve the needs of the community for many years. I hope the minister is listening, because I approached him the other day and wanted to know if he was going to help us out so that we could provide the facilities we need.

Local municipalities are struggling to keep up with necessary infrastructure repairs to roads and bridges, and the budget did nothing to help them. No new money was announced to cope with their demands, and the roads and bridges are in a dire state of repair. This was entirely brought on by the province when it decided to load many social services on to the municipal tax base. It is hard for rural municipalities to make ends meet. It's time the government realized that immediately and injected some cash into the facilities so the municipalities can provide the services they were used to.

On the agriculture scene, long-promised made-in-Ontario safety nets have not been mentioned once in the budget. The farmers in my riding have waited a long time to see a program introduced that will allow them to better compete on the world market. The farm bill passed in the US is going to make it even harder for farmers to compete unless the government steps up on this issue. It's my understanding that there's a meeting this week. I hope something good will come out of that meeting, because the farmers need that.

**Mr Steve Peters (Elgin-Middlesex-London):** I do have to point out two positives in the budget. One is the tax exemption for biodiesel. I think that's going to go a long way. I know that came out of the all-party alternative fuels committee, and I think that was a positive move for the agricultural community.

The other thing I want to say is that I was pleased to see there's an increase in both operating and capital funding for the Ontario Archives. The Ontario Archives plays such an important role in preserving the past for future generations and we can't allow our records to deteriorate.

But let's talk about some of the bad things in this budget: the straight tax grab that you implemented with this tobacco tax hike. What's so irresponsible on the part of this government is that if you were going to raise the taxes on tobacco, why didn't you allocate those dollars and put them into smoking cessation programs? Why didn't you put those dollars into the communities that you're going to inflict economic harm on down in the tobacco belt? But no, you didn't do that. You abandoned the farmers and you abandoned smokers. All you did was you wanted that money to pay for your tax cuts.

Let's talk about some of the other issues that were lacking in this budget, like education. You know, school boards all across this province are struggling right now. Tonight, the Thames Valley District School Board is debating whether or not to pass a deficit budget. I think they're going to follow suit with what Hamilton and Ottawa have done because they recognize that this province is underfunding school boards.

Look at what Maggie and John Ker of St Thomas had to say. They're very concerned and they are urging the Thames Valley school board to present a deficit budget, which will allow them to preserve such services as guidance and library support. These individuals are concerned about their son and the fact that he's not going to have these services in the school. Students should come first, but students don't come first with this government. I think that's a real disgrace. There are a lot of parents like Maggie and John out there who are very concerned about the direction this government is going in its continued underfunding of the education system.

Now let's talk a little bit about health care. We've heard a number of different comments made about increases, of new dollars going into health care. I would urge the members and the Minister of Health to have a look at what he's doing to the St Thomas-Elgin General Hospital. He has forced this hospital to make cuts that are



going to hurt the community. Because of the chronic underfunding by this government, this hospital is making some drastic, major, radical reductions to outpatient rehabilitative services. This government is forcing the residents of Elgin county to turn to the private sector, because these individuals don't have third-party insurance and there is no other schedule 5 OHIP rehab facility in the county. So either you're going to have to turn to the private sector or you're going to force elderly and vulnerable families to travel to London for schedule 5 OHIP rehab services that aren't going to be provided in their own backyard.

1750

I think it's totally irresponsible that this government and this Minister of Health, Tony Clement, would allow this to happen, because you're really putting the citizens of St Thomas and Elgin county at an extreme disadvantage. You wash your hands of it and say, "We give the hospital an envelope of money and it's a hospital board decision." But it's a decision that's coming from you, because you approved it. You approved the hospital operation review and its recovery plan. You knew darn well that that hospital was cutting out those rehab services and you allowed it to happen. These poor citizens in Elgin county are being put into the backwaters of this province because of this government, and you are allowing it to happen.

You've got a former Tory member in that area who stands up and makes all kinds of grandiose comments. Well, I'd like to say, if this government is playing politics with hospitals in this province and saying, "Because you've got a Liberal member, we're going to underfund that hospital," then there's something seriously wrong with government in this province. You have cut this hospital's budget and you're hurting the citizens of St Thomas and Elgin county. And you know what? You don't care. We've got thousands and thousands of names on petitions, and you disregard what they've got to say. You should be totally ashamed of yourself.

The Premier has talked about the ability to access services in your own backyard, but you know what's happened? You can't access these services in your own backyard because you're allowing a hospital and a hospital board to cut these services out.

You've done other things too. We've seen the delisting of audiology services. You don't realize. Can't you get through your thick skulls on the other side the long-term harm and damage you're doing to young people in this province because you're cutting these services out?

This budget is not helping people; this budget is hurting people.

**The Acting Speaker:** Questions or comments?

**Mr Christopherson:** I enjoyed very much the comments of the members from Stormont-Dundas-Charlottenburgh and Elgin-Middlesex-London.

The member from Elgin-Middlesex-London, in closing, was talking about health care. Yesterday I was speaking to a new local of SEIU. This is one of the unions that is leading the charge to save our public health

care system, and that's difficult to do on the national level when we've got a provincial government that is still not doing its part.

*Interjection.*

**Mr Christopherson:** I grant you the feds could be doing a lot more, I join you in that, but at some point you've got to take responsibility for your culpability here. I think that's what the member was talking about, and certainly that's what SEIU is all about in terms of fighting for the jobs and services they care about.

Also, the member for Elgin-Middlesex-London talked about the need for support for agriculture. I represent Hamilton West, but the new city of Hamilton includes a large piece of the agricultural business in Ontario. The only thing I can see in this budget for agriculture is that you've said that municipalities can set the tax rate for farmlands at 25% below the residential tax rate. That's good, that's fine, it's going to be helpful to those farmers at the local level, but again, you're not footing the bill. It's easy for you to say, "Municipalities, we're going to let you collect 25% less." How do they make up the money? You don't say that. Yes, you can talk about the fact that agriculture has been helped a bit by virtue of this, but it's the municipalities again that are going to pay the price. At some point, you've got to put some money where your mouth is and stop downloading all the responsibilities to municipalities and leaving them with no funds to provide those services.

**Mr Wettlaufer:** It's really interesting listening to the Liberals opposite speaking about health care. I think we should point out that in the Liberal red book in 1995, they said they were going to maintain health care spending at \$17.4 billion a year. Well, since 1995 to now, we've increased spending in health care in the province of Ontario to \$25.5 billion in this latest budget. I want to point out that this includes, this year, a 7.7% increase for hospitals, which will increase the funding for hospitals to \$9.4 billion.

I want to explain something else. The Canada Health Act does not include long-term care; it does not include pharmaceutical care. Do you know something? Home care is not contributed to by the federal government, not one cent. The federal government does not contribute one cent to home care in the province of Ontario—or any other province, for that matter.

Additionally, do you remember, Speaker—I'm sure you must; you're as old as I am—back in the 1960s, when medicare was brought into this country, the federal government agreed to fund health care to the tune of 50% of all health costs? Well, in 1995, the federal government was paying 18% of health costs in the province of Ontario. Now they're paying 14%. The net cost to the Ontario treasury of that shortfall is about \$18 billion. Imagine what the province of Ontario could do with another \$18 billion for health care for the people of this province if the federal government would pony up its share.

**Mr Gravelle:** I certainly want to compliment the members from Stormont-Dundas-Charlottenburgh and

Elgin-Middlesex-London, both very hard-working members who fight very hard for their constituents.

I would like to focus, for a moment, on the issue that the government has now made it very, very clear that they intend to allow—in fact, encourage—the opening of MRI private clinics, privately run, privately operated, which I have some very real concerns about, simply from the point of view of actual costs. But what alarms me, from specific concerns of my constituents in Thunder Bay-Superior North, is that we do have an MRI in Thunder Bay Regional Hospital which we're very glad to have. We now in fact have five radiologists, which is tremendous considering the challenge we've had finding those radiologists. We have enough technicians to quite frankly fund this particular public MRI so that we can serve the needs of our constituents. It concerns me that they're talking about setting up private labs when indeed they're not even remotely properly funding the MRI public labs or the labs that are in place. Surely that makes sense: to properly fund the MRI clinics and the CT scans that are in place, to make sure they're doing so.

What's happening, certainly in my constituency, is, despite the best efforts of those people who are running the MRI lab in Thunder Bay and the fact they've expanded the hours as much as possible, we still have very, very long waiting lists for care. Certainly when I speak to the people who run the clinic in Thunder Bay, they've made it very, very clear to me that they would like nothing more than to be able to expand those hours further.

So I certainly say to the government, we saw some money in the budget, it appears, for MRIs, and I hope that indeed is going to be to increase the operating funds that are available to the public hospital MRIs that are in place. Those people who are waiting for a diagnosis and are living in some fear—they have to wait six months or have to go somewhere else in order to get that quick diagnosis—would be, I think, expecting this government to properly fund the publicly run MRIs as it is.

**Mr Gilles Bisson (Timmins-James Bay):** I would like to congratulate the two speakers for their comments on this debate. It's unfortunate they only had 10 minutes between the two of them because of the rule changes. I know on a budget debate there's a whole bunch of issues they would have liked to have gotten to. For example, the issue we raised over here this afternoon in the Legislature—both my colleague the member from Hamilton West and myself raised the issue of what's happening with school board funding. We've now got in Ottawa and we've now got in Hamilton boards that are basically defying the government, and my hat's off to them, in saying, "We don't have enough money to provide the basic service to our students, and the government's putting us in the position of either taking services away or running a deficit." Those boards—and it's a courageous step, I've got to say—in Hamilton and in Ottawa decided that they're going to run a deficit in order to get some attention from the government to try to deal with the issue. I'm sure it's not going to be the only board to take that position.

Then I raised the example of two school boards in my riding—the English public board, which is put in the awful position of having to overcome an over-\$4-million deficit by making decisions such as taking almost \$1 million out of special-needs education. Do you think those school board trustees want to do that? Not for a second, and I don't believe most of us as members, if we were sitting in those trustees' seats at that board, would want to make those kinds of decisions. Then I've got the French Catholic board, which is having to make a decision about possibly closing a school entirely in a community, leaving that community with no school whatsoever, so that those kids would have to be transported great distances to another community to get to school.

I'm just saying to the government across the way by way of this budget debate—I know members would want to have spoken to that, but they didn't have enough time; certainly the member from Ottawa understands that quite well—you've got to give the school boards the dollars they need to provide the service. If you're going to centrally control the curriculum and you're going to centrally control everything that happens in a Stalinistic way, you've got to give those people the money to do the job. Otherwise, return the control to the boards.

#### **The Acting Speaker: Response?**

**Mr Cleary:** I would like to thank the members from Hamilton West, Kitchener Centre, Thunder Bay and Timmins-James Bay. The member from Hamilton West had spoken about lowering the tax on farmland by 25%. I know in his area, and probably my area too, the municipalities are hit very hard now, because they've got a whole lot of other things: ambulance service, infrastructure, sewer and water, roads. In my municipality, they didn't have the money to build a bridge to an agricultural farm so they had to close the bridge because they had no money. That just shows you the problems we have.

The other thing too that's a big issue in our community is the shortage of nurses. The government paid out a lot of severance money to people they laid off, and they got rid of our nurses, and now we're suffering. In my community, a lot of the nurses happen to be working in the United States.

The other thing the member talked about was the MRIs. It's great to have them in a community. Anyway, I guess we've all got to work together on that to make sure we provide a service for the community.

The other thing I want to say is about the school board funding, which is a big issue in my community, and community schools in rural Ontario—and the doctor shortage and what the health care restructuring commission did to my community. A lot of people there will never forgive them for that, because they set the community back a lot of years, coming in and overruling a decision that was made by the community.

**The Acting Speaker:** It being 6 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

*The House adjourned at 1803.*



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## Legislative Assembly of Ontario

Third Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Troisième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Wednesday 26 June 2002

Mercredi 26 juin 2002

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 26 June 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 26 juin 2002

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### MATER'S MORTGAGES

**Mr James J. Bradley (St Catharines):** I'm rising in the Legislature today to make yet another plea on behalf of the individuals, many of them in their senior years, who have been engaged in a very lengthy court case with the government of Ontario involving their financial losses from their investment in Mater's Mortgages.

The court case was initiated in September 1994 on behalf of over 4,000 individuals who were hopeful this matter would be resolved within months of the commencement of the legal proceedings. To their dismay and disappointment, the court case has dragged on for almost eight years and there are few signs it will be concluded in the near future without the co-operation of the government's lawyers.

Investors are of the view that lawyers acting for the government are deliberately placing obstacles in the way of a speedy resolution of the case and have expressed the wish that a fair, out-of-court settlement be reached, or at the very least, that the legal proceedings be concluded quickly in the court.

Former Attorney General James Flaherty was kind enough to meet with representatives of the Mater's Mortgages investors and indicated, in response to a question from me in the Legislature on November 24, 1999, that he was open, through the case management procedure, to assisting in expediting the resolution of these types of cases. Unfortunately, the case remains mired in procedural wrangling.

I believe their case has the potential to be resolved relatively expeditiously through the mediation process, and I ask the Attorney General to assist by instructing the lawyers acting for the government to co-operate in this regard.

#### EVENTS IN CALEDONIA

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I wish to let members know of a number of events coming up in the booming community of Caledonia.

First is the July 1 parade. It's one of the best-run community parades in our area over the summer. Over the civic holiday weekend we have what's referred to as Golden Horseshoe Days. A pioneer village is constructed each year and features horse pulls and antique tractors. Of course there is the Caledonia Fair on into September.

This is a community that is experiencing very rapid growth. In fact, Haldimand county is one of the 20 fastest-growing communities in Ontario. The growth of Caledonia alone is responsible for close to 60% of the population increase we're seeing in a traditionally rural area south of Hamilton.

Of course, with more people comes the need for more and better services. I am proud to have played a role in securing government funding for Caledonia's twin pad arena and library project. Discussions with stakeholders have paid off with a provincial grant of close to \$2 million.

I'm also very pleased with developments with respect to the mid-Niagara corridor, which will parallel the northern boundary of Haldimand. Yet again, coupled with other initiatives, it can only bode well for the future economic development of this part of Ontario.

#### INCINERATION

**Ms Caroline Di Cocco (Sarnia-Lambton):** I must point out that there is a grave concern around the hazardous waste incinerator and landfill in St Clair township. All the ministers, including the current Minister of Environment, have shown an appalling lack of due diligence in this matter. This government is jeopardizing the health of the population and causing great harm to the environment.

Safety-Kleen is an example whereby the environmental assessment done for expansion entailed the new process begun in 1996 that's been described as having more political intervention in decision-making and far less environmental planning.

The limits currently applicable to the hazardous incinerator at Safety-Kleen are less stringent than in the United States and less stringent than those applicable to non-hazardous incinerators.

This hazardous incinerator and landfill is in the middle of prime farmland. A number of organic farmers have had to sell their properties because they were no longer able to sell their food. The stack has the largest mercury output in the province. The possible contamination of

crops and livestock, as well as the health risks to people, have been ignored by all the Ministers of Environment of this government.

As was the case in Walkerton, the people of Sarnia-Lambton will pay the consequences for such incompetence and disregard for the environment.

#### CAMBRIDGE MEMORIAL HOSPITAL

**Mr Gerry Martiniuk (Cambridge):** More good news from Cambridge. I would like to bring to the House's attention an important environmental achievement: the Canadian Council of Ministers of the Environment has named Cambridge Memorial Hospital winner of this year's Pollution Prevention Award. This is the first time that a hospital has won this award in the organizational category, which includes most public institutions across Canada.

This award is the ninth time in three years that this hospital has been recognized for its outstanding leadership role in environmental managing. They are truly a leader in Ontario.

You may recall that in the year 2000 Cambridge Memorial Hospital was the first community hospital in North America to receive ISO 14001 certification for environmental management. This is a certification that is granted to only the finest organizations in their chosen application.

I would like to commend the staff, volunteers and board members for their continued hard work. The recognition they have received is due to the ongoing, day-by-day effort of each and every member of front-line staff. I would especially like to recognize CEO Helen Wright, chair Charlie Wilson, former chair Mary Margaret Laing, members of the board and the green team project leaders for their efforts to protect our precious environment. A big thank you from Cambridge and Ontario.

#### WORLD CYCLING CHAMPIONSHIP

**Mr Dominic Agostino (Hamilton East):** In October of 2003, the city of Hamilton will be hosting the World Cycling Championship. This is a world-class lead event, probably the third-largest event in the world at any time when it comes to spectator sports. It is the largest single sporting event for the year 2003. There will be over 1,000 athletes from over 50 countries, 800 media, 450,000 spectators, plus a 500-million worldwide TV viewership.

I rise here today to urge this government to meet its end of the commitment to the World Cycling Championship. The federal government has put in \$10 million since October of last year. The city of Hamilton and the World Cycling Championship have asked the province of Ontario to come through with the \$5 million that's part of its share for the World Cycling Championship.

This government has seen fit to fund money toward the Olympic bid, and that's the right thing to do, and toward other sporting events, and it has been the right

thing to do. It is the right thing to ensure the \$5 million that is necessary to ensure the success of the World Cycling Championship in Hamilton for the year 2003 is delivered by Ontario.

#### 1340

This event is one of the top sporting events in the world. It is an amazing sport when it comes to television audiences, particularly in Europe. It is only the second time this event has been held in Canada. It was in Montreal in 1974.

I ask you today, I ask this government, I urge the government to come through with the \$5 million that has been requested for the World Cycling Championship for the city of Hamilton and be part of a team that's going to make it the greatest World Cycling Championship we've ever had in the history of the world.

#### ELVIS ZOVIC

**Mr Doug Galt (Northumberland):** Thank you for the opportunity to pay tribute to the career and life of a young Toronto Police Service constable who was killed yesterday in a traffic accident. Elvis Zovic was only 26 years old. He was a young man with a bright future, a man who was just beginning his career as a police officer in Toronto.

Constable Zovic was on his way to work yesterday morning when he was involved in a motor vehicle collision that took his life. He joined the Toronto Police Service in October 1999 and had just begun what he considered a dream assignment. Constable Zovic had joined the mounted unit based at the Canadian National Exhibition only two weeks ago. Prior to that, he worked as a uniformed officer at 22 division. Constable Zovic was excited about starting this new phase of his career. Staff Sergeant William Hurley at 22 division said he had a big love of animals. As a veterinarian, I can relate to that.

Toronto Police Chief Julian Fantino paid tribute to the young officer, saying he was a consummate professional. He breathed and lived his job. Chief Fantino called Constable Zovic's death a heart-wrenching situation and a terrible loss.

On behalf of the government of Ontario, I'd like to extend my heartfelt condolences to Constable Zovic's family and to the Toronto Police Service. We can only imagine the grief they are feeling that such a young and promising life has been cut so tragically short.

#### CHILDREN WITH SPECIAL NEEDS

**Mr Michael Gravelle (Thunder Bay-Superior North):** The Conservative government's abandonment of children in this province with complex special needs requiring residential placements is appalling beyond words. Despite legislation the Tories themselves brought forward which requires the government to enter into special-needs agreements with these desperate families,



hundreds of children are simply being tossed aside as their parents struggle to find appropriate full-time care.

Earlier today I hosted a media conference at which several families talked about their frantic efforts to get the government to meet its legislative obligation to provide that care. Nancy Latowsky spoke about her son, Josh, who has been assessed as a priority for residential placement. Her only option appears to be a forced agreement to give up parental custody of Josh in order to receive that care. This is unbelievable in light of the fact that former Premier Mike Harris said in this House last year that this would never be forced on any family.

Mark and Suzanne Bashall told an astonishing story of a lawsuit brought against them by their local children's aid society demanding the Bashalls pay a portion of the costs of the full-time care for their 11-year-old son, Christopher. What in God's name is going on? The CAS has recently backed down from the lawsuit, but is now threatening to simply take their child out of this care, care which is the Bashalls' right under the law.

Minister Elliott, Nancy Latowsky and Mr and Mrs Bashall are in the members' gallery today. They are justifiably demanding that you meet with them after question period today. Minister, surely this is the least you can do. This horrific treatment by the province is totally unacceptable and must be dealt with face to face by the minister. Minister, go and meet with them.

#### TIMMINS MINING PROJECT

**Mr Gilles Bisson (Timmins-James Bay):** I would urge the minister to meet with these people.

Anyway, I'm actually up today in order to congratulate the government on something. Can you believe it?

I know it's hard to believe, but we have in a community in the city of Timmins a mining project that is still at the initial stages. It's Globex, it's a talc-magnesium find that's just south of the city of Timmins. The mine itself is expected, should it come into production, to bring in over 100 jobs directly in the mining company. The big issue for us in Timmins is, what happens to the smelter?

It has been learned that Globex, with the Quebec government, which has been very aggressive in trying to attract that investment into their province, has been offering all kinds of incentives and all kinds of encouragement to have Globex establish the smelter in Rouyn.

As the local member for Timmins-James Bay, I have been after the government, talking to the minister and others, about trying to sit down with Globex to see what can be done in the province of Ontario in order to compete with our Quebec neighbours and make sure we're able to bring that investment to the community of Timmins.

We're not able to announce today that we're anywhere near that, but I want to encourage and thank the government for actually having taken the time to pick up on my request to meet with Globex. We'll be doing that later

on this afternoon, listening to the presentation and then working together with the community of Timmins and the greater community of Ontario to be able to find some way, should this project actually get off the ground, to attract a smelter investment in Timmins. I look forward to working with the government on that point.

#### POLICE OFFICERS OF THE YEAR

**Mrs Margaret Marland (Mississauga South):** Mississauga recently honoured its 2002 Police Officers of the Year in an awards ceremony held at city hall. The five Peel regional police officers who received this prestigious award are Staff Sergeant Randy Patrick and Constables Dave Andrews, Darren Longpre, Ian Porter and Warren Robinson. They were recognized for their tireless efforts in apprehending a team of suspects who are believed to be responsible for a dangerous heist at a Money Mart store in Mississauga.

The prime suspect in this crime, armed with a handgun, lay in wait for two Brinks guards, grabbed a money bag containing more than \$100,000, stole a guard's .38 special revolver and fled on foot to a getaway vehicle. The officers implemented a plan involving 74 other officers from four police services. As a result, the key suspect was arrested and charged with 11 Criminal Code offences, while six collaborators were also charged. Moreover, the prime suspect was in the midst of committing another Brinks robbery on the day he was arrested.

On behalf of all residents in Mississauga, I am privileged to congratulate these exceptional police officers. Your fine work is an example to your profession and to our community. I would also like to commend all the officers with Peel Regional Police Service, Canada's fourth-largest police force and, in my opinion, our country's best police service. We are very grateful that you are willing to risk your lives in order to serve and protect us. Thank you.

#### SOINS À DOMICILE

##### HOME CARE

**M<sup>me</sup> Claudette Boyer (Ottawa-Vanier):** Compte tenu de l'importance des centres d'accès aux soins communautaires et du nombre d'appels que j'ai à mes bureaux, je me dois encore une fois de rappeler à cette Assemblée le sort pitoyable de beaucoup de gens qui tentent de vivre dans leur foyer avec l'aide des soins communautaires.

Budgets are cut, services are cut, housekeeping is cut, bathing is cut, attending care is cut, yet the clients' needs are constantly growing. Enough has been said in this Legislature about home care.

The last time I spoke about this in the Legislature, I was asked to provide examples. Well, I hold a letter here from a constituent. She is 49 and handicapped. Last August she was receiving six hours of service, in October

five, and in June one hour per week. That translates as no washing, no ironing, no meal preparation, no grocery shopping and no housekeeping.

Elle complète en disant qu'il lui reste deux choix : l'euthanasie ou le suicide assisté. Et ça, c'est une personne. Combine d'autres sont dans la même situation ?

This Legislature adjourns tomorrow and summertime is a time of rest and reflection. I don't know how much rest will be afforded to those whose very existence depends on these services for daily life, but I certainly hope that the Minister of Health will take time to reflect on the needs of these people and the pressing need to increase funding to community home care so that they can live in their homes in dignity.

#### VISITOR

**Mr AL McDonald (Nipissing):** On a point of order, Mr Speaker: We have a special guest in the gallery today, First Class Constable Ryan Berrigan of 22 division, Peel Regional Police Service, and his friend Jennifer. Policing must be in his blood, because his proud father, George Berrigan, is the chief of police of the city of North Bay. Welcome.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON JUSTICE AND SOCIAL POLICY

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I beg leave to present a report of the standing committee on justice and social policy and move its adoption.

**Clerk at the Table (Ms Lisa Freedman):** Your committee begs to report the following bill as amended:

Bill 74, An Act to amend the Marriage Act / Projet de loi 74, Loi modifiant la Loi sur le mariage.

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted? Agreed.

This bill is therefore ordered for third reading.

1350

##### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

**Mr Rosario Marchese (Trinity-Spadina):** I beg leave to present a report from the standing committee on regulations and private bills and move its adoption.

**Clerk at the Table (Ms Lisa Freedman):** Your committee begs to report the following bills without amendment:

Bill Pr3, An Act respecting the City of Ottawa.

Bill Pr8, An Act to revive 1397399 Ontario Inc.

Bill Pr10, An Act respecting Royal Ottawa Health Care Group/Services de Santé Royal Ottawa.

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted? Agreed.

#### INTRODUCTION OF BILLS

##### LOI DE 2002 SUR LE TRAITEMENT PARITAIRE DES RAPPORTS OFFICIELS EN DEUX LANGUES

##### OFFICIAL REPORTS IN TWO LANGUAGES PARITY ACT, 2002

Mr Bisson moved first reading of the following bill:

Projet de loi 145, Loi modifiant la Loi sur les services en français pour prévoir que certains rapports sont disponibles simultanément en français et en anglais / Bill 145, An Act to amend the French Language Services Act to provide for the availability of certain reports in both English and French at the same time.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a brief statement?

**M. Gilles Bisson (Timmins-Baie James):** La loi est très simple. Elle vise à modifier la Loi 8 pour s'assurer que, quand il y a une commission d'enquête et qu'un bureau de cette Assemblée dépose un rapport à l'Assemblée en anglais, le rapport soit déposé en français en même temps.

##### RED LIGHT CAMERAS PILOT PROJECTS EXTENSION ACT, 2002

##### LOI DE 2002 SUR LA PROROGATION DES PROJETS PILOTES AYANT TRAIT AUX DISPOSITIONS PHOTOGRAPHIQUES RELIÉS AUX FEUX ROUGES

Mr Sterling moved first reading of the following bill:

Bill 149, An Act to extend the red light cameras pilot projects to November 20, 2004 or for an indefinite period / Projet de loi 149, Loi visant à proroger jusqu'au 20 novembre 2004 ou indéfiniment les projets pilotes ayant trait aux dispositions photographiques reliés aux feux rouges.

**The Speaker (Hon Gary Carr):** Is the pleasure of the House that the motion carry? Carried.

The minister for short statement?

**Hon Norman W. Sterling (Minister of Transportation):** Two years ago, at the request of municipalities, our government introduced legislation that has allowed them to test the effectiveness of red light cameras at intersections. The sunset date on that legislation was November 20 of this year. Five of the six municipalities have asked us to extend the term of that pilot project to November 20, 2004. We are complying with the request, and I ask all members of this Legislature to support the extension of this date.



## CARE HOMES ACT, 2002

## LOI DE 2002 SUR LES MAISONS DE SOINS

Mrs McLeod moved first reading of the following bill:

Bill 162, An Act to provide for the accreditation of care homes, to protect the rights of tenants and to amend the Tenant Protection Act, 1997 / Projet de loi 162, Loi prévoyant l'agrément de maisons de soins, protégeant les droits des locataires et modifiant la Loi de 1997 sur la protection des locataires.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** Very briefly, the purpose of the bill is to put in place a bill of rights for the tenants of care homes, and to establish a care homes review board that is empowered to investigate complaints and to enforce the bill of rights. The bill also provides for the creation of an annually updated registry of care homes.

This bill was first introduced and debated in this House two years ago. It was defeated by the government of the day, which said they were going to introduce their own legislation. In the absence of that legislation having been presented, I felt it was appropriate to reintroduce the bill for debate.

GASOLINE CONSUMER  
PROTECTION ACT, 2002LOI DE 2002 SUR LA PROTECTION  
DES CONSOMMATEURS D'ESSENCE

Mr Crozier moved first reading of the following bill:

Bill 163, An Act to provide information to consumers respecting the price of gasoline and the ownership of gasoline retailers and to require certain additional information from major oil companies / Projet de loi 163, Loi visant à fournir des renseignements aux consommateurs en ce qui concerne le prix de l'essence et l'appartenance des détaillants d'essence et exigeant certains renseignements supplémentaires de la part des grosses sociétés pétrolières.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Bruce Crozier (Essex):** The main part of this bill is taken from Fairness at the Pump: Ontario Gas Prices Review Task Force report, that was prepared for the Honourable R.W. Runciman when he was Minister of Consumer and Commercial Relations.

The bill requires every gasoline retailer to advertise a change in the price of gasoline at the retailer's gas station at least 72 hours before changing the price. The bill also requires gasoline retailers to indicate on their price signs what portion of the price is dedicated to tax.

The bill requires gasoline retailers that are affiliated with major gasoline retailers to indicate their affiliation on signs at their gas stations and on receipts issued at their gas stations.

Finally, the bill requires large oil companies that produce, refine and market gasoline to file segmented earnings reports with the Minister of Consumer and Business Services annually.

BAN ON DRIVE-THROUGH  
RESTAURANTS IN TORONTO ACT, 2002LOI DE 2002 SUR L'INTERDICTION  
DE CONSTRUIRE DES RESTAURANTS  
PERMETTANT LES SERVICES À L'AUTO  
DANS TORONTO

Mr Bryant moved first reading of the following bill:

Bill 164, An Act to ban drive-through restaurants in the former cities of Toronto and York and the former Borough of East York / Projet de loi 164, Loi visant à interdire de construire des restaurants permettant les services à l'auto dans les anciennes cités de Toronto et de York et dans l'ancienne municipalité d'East York.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Michael Bryant (St Paul's):** Thank you, Speaker. Happy birthday to the member from Essex, I should add.

The bill regulates the issuing of building permits for constructing drive-through restaurants in the former cities of Toronto and York and the former borough of East York. It seeks to restore live-in communities, against drive-through traffic, environmental hazards and erosion of our neighbourhoods in midtown Toronto.

## BORDER SECURITY

**Hon Carl DeFaria (Minister of Citizenship, minister responsible for seniors):** On a point of order, Mr Speaker: A few weeks ago, we were addressing the issue of the proposed change to a US regulation that would limit tourists' stays in the US to 30 days and seriously affect Canadian snowbirds.

Our government was active in supporting the efforts of Ellen White, president, and Heather Nicolson-Morrison, executive director, of the Canadian Snowbird Association, who were successful in obtaining a letter from the commissioner stating that all eligible Canadians are exempt from the 30-day rule.

These impressive ladies are with us and I'd ask that they be recognized in this House.

## MOTIONS

## HOUSE SITTINGS

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I have a very important motion. I move that pursuant to standing order 9(c)(ii), the House shall meet from 6:45 pm to midnight on Wednesday, June 26, 2002, for the purpose of con-

sidering government business and satisfying the member for St Catharines.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1401 to 1406.*

**The Speaker:** All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Agostino, Dominic	Eves, Ernie	Munro, Julia
Amott, Ted	Flaherty, Jim	Mushinski, Marilyn
Baird, John R.	Galt, Doug	Newman, Dan
Barrett, Toby	Gerretsen, John	O'Toole, John
Bartolucci, Rick	Gilchrist, Steve	Ouellette, Jerry J.
Beaubien, Marcel	Gill, Raminder	Parsons, Ernie
Boyer, Claudette	Gravelle, Michael	Patten, Richard
Bradley, James J.	Guzzo, Garry J.	Peters, Steve
Brown, Michael A.	Hardeman, Ernie	Phillips, Gerry
Bryant, Michael	Hastings, John	Pupatello, Sandra
Caplan, David	Hoy, Pat	Ramsay, David
Chudleigh, Ted	Hudak, Tim	Runciman, Robert W.
Clark, Brad	Jackson, Cameron	Ruprecht, Tony
Cleary, John C.	Johnson, Bert	Sampson, Rob
Clement, Tony	Kells, Morley	Smitherman, George
Coburn, Brian	Kennedy, Gerard	Spina, Joseph
Conway, Sean G.	Klees, Frank	Sterling, Norman W.
Cordiano, Joseph	Kormos, Peter	Stewart, R. Gary
Crozier, Bruce	Kwinter, Monte	Stockwell, Chris
Curling, Alvin	Lalonde, Jean-Marc	Tascona, Joseph N.
DeFaria, Carl	Marland, Margaret	Tsubouchi, David H.
Di Cocco, Caroline	Martiniuk, Gerry	Turnbull, David
Dombrowsky, Leona	Mazzilli, Frank	Wettlaufer, Wayne
Duncan, Dwight	McDonald, AL	Wilson, Jim
Dunlop, Garfield	McLeod, Lyn	Witmer, Elizabeth
Ecker, Janet	Miller, Norm	Wood, Bob
Elliott, Brenda	Molinari, Tina R.	Young, David

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Bisson, Gilles	Marchese, Rosario	Martin, Tony
Hampton, Howard	Martel, Shelley	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 81; the nays are 5.

**The Speaker:** I declare the motion carried.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Speaker: I'm hoping, in view of this gesture of conciliation on my part toward the government, that they might reconsider their position on ensuring that Bill 77, Marilyn Churley's adoption rights bill, receives third reading before the House adjourns.

**Hon Mr Stockwell:** On a point of order, Mr Speaker: To the third party House leader, I'm sorry, your foot is still in your mouth.

## DEFERRED VOTES

### HYDRO ONE INC. DIRECTORS AND OFFICERS ACT, 2002

### LOI DE 2002 SUR LES ADMINISTRATEURS ET LES DIRIGEANTS DE HYDRO ONE INC.

Deferred vote on the motion for second reading of Bill 80, An Act respecting directors and officers of Hydro One Inc. and its subsidiaries / Projet de loi 80, Loi concernant les administrateurs et les dirigeants de Hydro One Inc. et de ses filiales.

**The Speaker (Hon Gary Carr):** Call in the members. This will be a five-minute bell.

*The division bells rang from 1411 to 1416.*

**The Speaker:** All those in favour, please rise one at a time and be recognized by the Clerk.

#### Ayes

Agostino, Dominic	Flaherty, Jim	Mushinski, Marilyn
Amott, Ted	Galt, Doug	O'Toole, John
Baird, John R.	Gerretsen, John	Ouellette, Jerry J.
Barrett, Toby	Gilchrist, Steve	Parsons, Ernie
Bartolucci, Rick	Gill, Raminder	Patten, Richard
Beaubien, Marcel	Gravelle, Michael	Peters, Steve
Bradley, James J.	Guzzo, Garry J.	Phillips, Gerry
Brown, Michael	Hardeman, Ernie	Pupatello, Sandra
Bryant, Michael	Hastings, John	Ramsay, David
Caplan, David	Hoy, Pat	Runciman, Robert W.
Chudleigh, Ted	Jackson, Cameron	Ruprecht, Tony
Clark, Brad	Johnson, Bert	Sampson, Rob
Cleary, John C.	Kells, Morley	Smitherman, George
Clement, Tony	Kennedy, Gerard	Spina, Joseph
Coburn, Brian	Klees, Frank	Sterling, Norman W.
Conway, Sean G.	Kwinter, Monte	Stewart, R. Gary
Cordiano, Joseph	Lalonde, Jean-Marc	Stockwell, Chris
Crozier, Bruce	Levac, David	Tascona, Joseph N.
Curling, Alvin	Marland, Margaret	Tsubouchi, David H.
DeFaria, Carl	Martiniuk, Gerry	Turnbull, David
Di Cocco, Caroline	Mazzilli, Frank	Wettlaufer, Wayne
Dombrowsky, Leona	McDonald, AL	Wilson, Jim
Duncan, Dwight	McLeod, Lyn	Witmer, Elizabeth
Dunlop, Garfield	Miller, Norm	Wood, Bob
Ecker, Janet	Molinari, Tina R.	Young, David
Elliott, Brenda	Munro, Julia	
Eves, Ernie	Murdoch, Bill	

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Bisson, Gilles	Kormos, Peter	Martel, Shelley
Hampton, Howard	Marchese, Rosario	Martin, Tony

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 79; the nays are 6.

**The Speaker:** I declare the motion carried.

Pursuant to the order of the House dated June 19, 2002, this bill is ordered for third reading.



## NUTRIENT MANAGEMENT ACT, 2002

LOI DE 2002 SUR LA GESTION  
DES ÉLÉMENTS NUTRITIFS

Deferred vote on the motion for third reading of Bill 81, An Act to provide standards with respect to the management of materials containing nutrients used on lands, to provide for the making of regulations with respect to farm animals and lands to which nutrients are applied, and to make related amendments to other Acts / Projet de loi 81, Loi prévoyant des normes à l'égard de la gestion des matières contenant des éléments nutritifs utilisées sur les biens-fonds, prévoyant la prise de règlements à l'égard des animaux d'élevage et des biens-fonds sur lesquels des éléments nutritifs sont épandus et apportant des modifications connexes à d'autres lois.

**The Speaker (Hon Gary Carr):** Call in the members. This will be a five-minute bell.

*The division bells rang from 1419 to 1424.*

**The Speaker:** All those in favour will please rise one at a time and be recognized by the Clerk.

## Ayes

Amott, Ted	Guzzo, Garry J.	Newman, Dan
Baird, John R.	Hardeman, Ernie	O'Toole, John
Barrett, Toby	Hastings, John	Ouellette, Jerry J.
Beaubien, Marcel	Hudak, Tim	Runciman, Robert W.
Chudleigh, Ted	Jackson, Cameron	Sampson, Rob
Clark, Brad	Johnson, Bert	Spina, Joseph
Clement, Tony	Kells, Morley	Sterling, Norman W.
Coburn, Brian	Klees, Frank	Stewart, R. Gary
DeFaria, Carl	Marland, Margaret	Stockwell, Chris
Dunlop, Garfield	Martiniuk, Gerry	Tascona, Joseph N.
Ecker, Janet	Mazzilli, Frank	Tsubouchi, David H.
Elliott, Brenda	McDonald, AL	Turnbull, David
Eves, Ernie	Miller, Norm	Wettlaufer, Wayne
Flaherty, Jim	Molinari, Tina R.	Wilson, Jim
Galt, Doug	Munro, Julia	Witmer, Elizabeth
Gilchrist, Steve	Murdoch, Bill	Wood, Bob
Gill, Raminder	Mushinski, Marilyn	Young, David

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

## Nays

Agostino, Dominic	Di Cocco, Caroline	Marchese, Rosario
Bartolucci, Rick	Dombrowsky, Leona	Martel, Shelley
Bisson, Gilles	Duncan, Dwight	Martin, Tony
Bradley, James J.	Gerretsen, John	McLeod, Lyn
Brown, Michael A.	Gravelle, Michael	Parsons, Ernie
Bryant, Michael	Hampton, Howard	Patten, Richard
Caplan, David	Hoy, Pat	Peters, Steve
Cleary, John C.	Kennedy, Gerard	Phillips, Gerry
Conway, Sean G.	Kormos, Peter	Pupatello, Sandra
Cordiano, Joseph	Kwinter, Monte	Ramsay, David
Crozier, Bruce	Lalonde, Jean-Marc	Ruprecht, Tony
Curling, Alvin	Levac, David	Smitherman, George

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 51; the nays are 36.

**The Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

RESCUING CHILDREN FROM SEXUAL  
EXPLOITATION ACT, 2002LOI DE 2002  
SUR LA DÉLIVRANCE DES ENFANTS  
DE L'EXPLOITATION SEXUELLE

Deferred vote on the motion for third reading of Bill 86, An Act to rescue children trapped in the misery of prostitution and other forms of sexual exploitation and to amend the Highway Traffic Act / Projet de loi 86, Loi visant à délivrer les enfants prisonniers de la prostitution et d'autres formes d'exploitation sexuelle et modifiant le Code de la route.

**The Speaker (Hon Gary Carr):** Call in the members. This will be a five-minute bell.

*The division bells rang from 1428 to 1433.*

**The Speaker:** All those in favour, please rise one at a time and be recognized by the Clerk.

## Ayes

Agostino, Dominic	Galt, Doug	Munro, Julia
Amott, Ted	Gerretsen, John	Murdoch, Bill
Baird, John R.	Gilchrist, Steve	Mushinski, Marilyn
Barrett, Toby	Gill, Raminder	Newman, Dan
Bartolucci, Rick	Gravelle, Michael	O'Toole, John
Beaubien, Marcel	Guzzo, Garry J.	Ouellette, Jerry J.
Bradley, James J.	Hardeman, Ernie	Parsons, Ernie
Brown, Michael A.	Hastings, John	Patten, Richard
Bryant, Michael	Hoy, Pat	Peters, Steve
Caplan, David	Hudak, Tim	Phillips, Gerry
Chudleigh, Ted	Jackson, Cameron	Pupatello, Sandra
Clark, Brad	Johnson, Bert	Ramsay, David
Cleary, John C.	Kells, Morley	Runciman, Robert W.
Clement, Tony	Kennedy, Gerard	Ruprecht, Tony
Coburn, Brian	Klees, Frank	Sampson, Rob
Conway, Sean G.	Kwinter, Monte	Smitherman, George
Cordiano, Joseph	Lalonde, Jean-Marc	Spina, Joseph
Crozier, Bruce	Levac, David	Sterling, Norman W.
Curling, Alvin	Marchese, Rosario	Stewart, R. Gary
DeFaria, Carl	Marland, Margaret	Stockwell, Chris
Di Cocco, Caroline	Martel, Shelley	Tascona, Joseph N.
Dombrowsky, Leona	Martin, Tony	Tsubouchi, David H.
Duncan, Dwight	Martiniuk, Gerry	Turnbull, David
Dunlop, Garfield	Mazzilli, Frank	Wettlaufer, Wayne
Ecker, Janet	McDonald, AL	Wilson, Jim
Elliott, Brenda	McLeod, Lyn	Witmer, Elizabeth
Eves, Ernie	Miller, Norm	Wood, Bob
Flaherty, Jim	Molinari, Tina R.	Young, David S.

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

## Nays

Bisson, Gilles	Hampton, Howard	Kormos, Peter
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**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 84; the nays are 3.

**The Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

## ORAL QUESTIONS

## EDUCATION FUNDING

**Mr Gerard Kennedy (Parkdale-High Park):** My question is for the Premier. It was reported in the media today that you're about to get tough with school boards. Today, facing you in the gallery, are parents and students of a number of boards you've already got tough with; you've got tough on their kids' education. You've done that, especially in urban areas like Toronto, Ottawa, Hamilton and London that have all felt compelled to either pass deficits to fund the success of their students or to make cuts they can't in good conscience make.

Premier, they want to know what kind of government you really lead. Are you a government that is prepared to listen to parents and students like this? Are you prepared to tell them today that there's some possibility you don't know more than them and their boards, and that in fact you might make changes that would allow the cuts not to happen or these boards not to have to defy you by passing deficits?

Premier, I want to ask you today to speak to these parents and these students. Are you prepared to make changes in your funding of the school boards that find themselves in difficulty, unable to provide the services needed for their students?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** The honourable member will know that the Minister of Education and the Minister of Finance have already provided for an extra \$557 million in addition to the funding that was already going to all boards of education across the province of Ontario. We are responding. We are also of course conducting a review of the funding formula, which will become an annual exercise as we go forward, to meet the needs of students in all 72 boards across Ontario.

**Mr Kennedy:** Premier, what the parents and students here today need is not an exercise, not public relations, not annually; they need you as the Premier right now. Sitting in the corner is Kate Godsmen. Kate Godsmen has written a letter. In the letter she talks about the loss of education assistants in the kindergarten at the school she goes to. She says that when kids are not taught what they need to know in kindergarten, they need more learning centres and reading clinics, and that this costs more money than having kindergarten assistants and the kids don't feel as good about themselves.

These urban areas that are struggling have needs. They have poverty, they have English as a second language, they have costs that are higher than in other areas, and your one-size-fits-all formula doesn't help them. Premier, since you've been Treasurer, you've taken away from that student, Kate Godsmen, \$2,016 worth of support since 1995.

I want you to speak to Kate Godsmen and her mother, who are here, and tell them: is there a chance, is there a possibility that you, now the Premier, formerly the Treas-

urer, will be putting back some of that \$2,000 worth of support you've taken away from her and all the other students in the Toronto school board?

**Hon Mr Eves:** I'd like to know from the honourable member if he thinks every child in Ontario should have an equal opportunity for education, regardless of where they are, where they're born, what their circumstances are. Whether it's Marathon or Markham, should they have an equal opportunity, yes or no?

**Mr Kennedy:** Kate Godsmen is only nine years old, but I think she knows a bad answer. Premier, Kate Godsmen and the other students and parents are facing you now, and what they're looking for is for you to acknowledge that you took some \$616 million out of the Toronto school board, \$117 million out of Ottawa, \$50 million out of London and \$54 million out of Hamilton.

Premier, when you say "equal," you mean equal misery. You mean, bring everybody down. You mean less for students like Kate Godsmen; you mean less for each of these students here.

1440

Premier, you're sending investigators to these boards, probably all around the province. Instead, will you meet with these students? They're here, these students and these parents, in room 351. There are over 100 of them. They want to know what kind of Premier you are. Are you a Premier prepared to give excellent education or are you going to make them watch their schools deteriorate, crumble down and lose programs? Give us an answer.

**Hon Mr Eves:** First of all, let me correct the record. Since I have been the Premier, since April 15, I have not taken out one cent from any board of education across the province and we have put in—

*Interjections.*

**Hon Mr Eves:** He said since I became the Premier. Hello? Earth to Dwight. You know these things? They're called ears.

**The Speaker (Hon Gary Carr):** Order. The member for Sudbury and the member for Kingston and the Islands, come to order please.

Minister?

**Hon Mr Eves:** The honourable member well knows that since April 15 this government has put an additional \$557 million into the public education system in Ontario. Only a Liberal could regard an additional expenditure of half a billion dollars as nothing, as a decrease as opposed to an increase in spending. There are 72 boards of education in the province of Ontario. Every child in every board deserves an equal opportunity for education and success in Ontario and that is exactly what the fundamental funding formula is in this government. We will continue to make sure, whether a child happens to be born in Marathon or Markham, that they get an equal opportunity to that education.

## NOTICE OF DISSATISFACTION

**Mr Gerard Kennedy (Parkdale-High Park):** On a point of order, Mr Speaker: I want to express my dis-



satisfaction with the Premier's answer and request a late show. I also want to send the Premier actual figures.

**The Speaker (Hon Gary Carr):** You can file that with the table.

### HYDRO DAM SAFETY

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** My question is to the Minister of Energy and it concerns hydroelectric dams in the open and competitive electricity market that we've had in Ontario since May 1, 2002. You and all members of the Legislature know that a few weeks ago, on May 1, the electricity market opened to competition in Ontario. Can you inform this Legislature: to the best of your knowledge, have hydroelectric generators changed their operating procedures to contemplate changes that are occasioned by the open and competitive electricity market as compared to procedures those hydroelectric generators might have had in the pre-May 1, 2002, marketplace?

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I want to thank the member for the notice that he gave me of the question. I appreciate it.

I can only tell you that the comments I've made to date are the comments that stand. I met with the Attorney General's office today and there's an OPP investigation right now. The feeling is that if I offer up any more information, there could be a possibility it could prejudice that investigation. The information I've received, I've received, and I've been informed that I can't comment any further than what I said yesterday and today. Those questions, I suppose, will be dealt with in the investigation.

**Mr Conway:** Several of my constituents, long-time residents of the Calabogie area, believe that a significant part of the tragedy that occurred along the Madawaska River near the Barrett Chute generating station this past Sunday afternoon had to do with changes in the operating procedures of the hydroelectric stations that have long been established on the lower Madawaska River. What do you have to say to those constituents of mine living in the Calabogie area who have those concerns and those questions?

**Hon Mr Stockwell:** Spills of water by operators of hydroelectric dams happen from time to time, and it's not just with respect to Hydro needs. It could be other situations with respect to the amount of water they have. I can only tell you that those particular processes that were put in place are now being fully inspected and reviewed by OPG. They have not only phoned but they're now physically sending people out to each individual dam to check it. This spill, as they say, is something that they have done for many years, not specifically on this site, but spills around dams and other places.

That's all the information that I am prepared to give or that I'm allowed to give, and I can assure you that all the other dams that work in this practice are having all their

practices assessed and reviewed before any more spills take place.

**Mr Conway:** Minister, there have been hydroelectric dams on the Madawaska River for nearly a century. Long-time residents of the Calabogie area have told me that what happened at the Barrett Chute-High Falls area this past Sunday afternoon, June 23, which tragically claimed the lives of two of my constituents and injured several more, was both unexpected and quite unprecedented. There are in the province of Ontario over 70 hydro dams generating something like 7,000-plus megawatts of our electricity. It seems clear that the open marketplace for electricity has brought about a change in the operating procedures of these hydroelectric stations.

My question is, not just on behalf of my constituents in the Calabogie area but on behalf of all Ontarians and those visiting our province this summer: can you table with us today in writing the specific requests you have made of all hydroelectric generators in this province and the kinds of responses you have gotten or expect to get from those generators to show the people of Ontario and their representatives that every reasonable step is now being taken to best protect the public safety of people living and recreating along those river corridors where we have hydroelectric stations generating electricity in Ontario this summer?

**Hon Mr Stockwell:** That's a very reasonable request. I don't have any problem at all providing that to you or every other member of this House if they'd like that. To table it means I have to have it here for tomorrow. I'm not really sure I'm going to be able to get it done by tomorrow. But your request to make sure we provide information on how these dams now will handle these procedures to alert people and so on is not a problem. I will be happy to do that. I will be happy to get it to you as soon as possible. I'll also be happy to show you what we've done since that tragic day on Sunday. I have no difficulty whatsoever in providing you with that information.

### COMPETITIVE ELECTRICITY MARKET

**Mr Howard Hampton (Kenora-Rainy River):** A question for the Premier: The Hamilton Spectator has revealed yet another problem with your privatized electricity market, this time a scheme to change the way hydro rates are charged in Ontario. Once again, consumers get burned.

Union Energy is forcing new contracts on consumers, new contracts that say that a fixed rate for hydro might not be a fixed rate after all. Union Energy wants people to sign a blank cheque so that they can charge even more for hydro.

Premier, I guess that's what you would call market discipline. But wouldn't you agree, Premier, that a fixed-rate contract for hydro should deliver a fixed rate?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I'm not aware of the situation of which the leader of the third party speaks, but if he could provide me with the information I'd be happy to look into it.

**Mr Hampton:** Well, Premier, it turns out that the source of the new cost, the new increase in hydro rates, is none other than your own Independent Electricity Market Operator. Your Independent Electricity Market Operator wants to implement something called locational marginal pricing. For example, it would increase hydro rates in a location if the transmission lines are congested. It means that not only will the cost of electricity itself rapidly move up, but the cost of transmitting the electricity would increase as well.

So, Premier, my question is: why are you turning the purchase of electricity in our province into a bizarre crapshoot for businesses and consumers alike?

1450

**Hon Mr Eves:** The Minister of Energy has a response to this.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** It's a process they've put in place that they sell to the consumer, if the consumer wants this particular approach to paying their hydro. It's a variable. They're allowed to see their rate float, much like a mortgage. If you want to go to a short-term, six-month mortgage, you can see a variable float on your mortgage. Hydro sales people have been working with the OEB to put out different packages that are acceptable to the consumers. If a consumer doesn't want this particular package, the consumer doesn't have to accept this package. It's completely a decision of those buying the power.

You're suggesting it's a crapshoot. Well, if you think it's a crapshoot, then don't buy it. But simply because you find it difficult to understand doesn't mean everybody does, and that may mean some people out there think this is a good way to go.

**Mr Hampton:** We've had almost a million consumers who were already signed up to so-called fixed-rate contracts, only to find they're paying more than they thought they would, only to find they're paying more than they were told they would, and the minister's answer is, "Oh, well, whatever people sign is their responsibility." Well, you've got a responsibility to protect people. Your television ads say that people should sign up for fixed-rate contracts, and yet it turns out here that if they sign these, they are in effect signing a blank cheque. There's no guarantee of a fixed rate at all.

Minister, as economist Myron Gordon has said, you, the government, are creating risk for consumers and for businesses where there was no risk before. So my question is, rather than creating new wrinkles whereby someone can raise the hydro price again, or a new clause whereby they can raise the hydro price another way, why aren't you out there protecting consumers instead of finding new ways to increase the hydro bill?

**Hon Mr Stockwell:** This guy is unbelievable. He spent how long riding around this province in that bus, with the light bulb above his head?

**Interjection:** Two years.

**Hon Mr Stockwell:** Two years, telling everybody, "When the market opens, rates are going to double and

we're going to have blackouts." So your advice was, "You should sign a fixed-rate contract." You actually frightened these people into signing fixed-rate contracts. You said, "If you don't, on May 1 your prices are going to double." Now you come into this House, when rates are well below what they were, and you're telling us you don't like fixed-rate contracts any more; you think they're somehow ripping them off. Well, six months ago you were telling them their rates were going to double. You have told them absolutely everything, but nothing has come true. You've come in here on every single issue, every single time, Chicken Little, telling them the sky is going to fall. These people signed fixed-rate contracts, and now you're telling them they're bad. For heaven's sake, the only thing you've been consistent on about this is that you've consistently driven around the province in that bus, with the light bulb above your head, and told people a bunch of fantasy tales that came up in your head. That's it.

## EDUCATION FUNDING

**Mr Howard Hampton (Kenora-Rainy River):** I just say to the government, why don't you just ditch the deregulated market? Do that. Just ditch the deregulated market, and people will be much further ahead.

My question is for the Minister of Education. All over the province, school trustees are being forced to choose between giving kids the education resources they need and breaking your laws. Last night the Thames Valley District School Board passed a budget that said no to cutting special education, no to cutting teacher-librarians and no to cutting educational assistants. But your government says if they do that, they're breaking the law. They're not allowed to vote for our children to receive the education resources they need. Minister, can you tell us how it is that under your government it's now a crime to provide children with the education resources they need in order to succeed?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** The leader of the third party obviously does not understand that in all these situations the board administrators, the directors of education, have brought in balanced budgets. It is trustees who have made the decisions, in some instances, simply not to accept those recommendations.

You refer to this legislation as being our legislation. I think it's important for the member opposite to know there has always been legislation requiring balanced budgets.

**The Speaker (Hon Gary Carr):** Supplementary?

**Mr Rosario Marchese (Trinity-Spadina):** Minister, clearly what you're doing is not good enough. I've got tell you, parents and kids don't come here to Queen's Park to protest because they want to have fun. I also have to tell you, trustees do not risk breaking the law because they want to go in your privatized jails. They fight back because they're caught in a straitjacket. They fight back to protect the programs they're losing.



You recently told me I should not encourage people to break the law. Here's what I tell you: when they tell you that in spite of what you are doing, essential educational programs will disappear in many boards, what do you expect them to do?

**Hon Mrs Witmer:** We introduced the funding formula. We gave the city of Toronto, the Toronto board of education, \$910 million in transition funding in order that they could move to the funding formula. I think the member well knows that, despite the increased amounts of money that have been provided to the Toronto board over the past number of years, there are still many activities that are funded by the Toronto board that are simply not part of the funding formula.

### ENVIRONMENTAL ASSESSMENT

**Mr David Ramsay (Timiskaming-Cochrane):** I have a question to the Premier. Premier, 10 days ago I gave your Minister of Agriculture a letter I received from Parmalat Dairy that stated they could not assure me they would continue to purchase milk produced in the Timiskaming district if your government approves the construction of a 200,000-tonne PCB incinerator in Kirkland Lake.

The dairy industry in Timiskaming is the only growing, sustainable sector of our economy, with a farm gate value of \$15 million. On Monday of this week I also gave your office a copy of this letter and spoke to your chief of staff about the gravity of the situation. The only feedback I have received is a call from the ag minister's office about an hour ago stating I would be hurting my farmers by asking this question in the House today. I feel rather that she's more interested in intimidating me in doing my job than to save Ontario farms.

Premier, I'm asking you today to put a stop to this proposal and protect the economic viability of the largest agricultural area of northern Ontario and the 600 farm families who make their living on the land.

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** The Minister of Energy has a response.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** The member has spoken to me about this as well. The whole point of the environmental process is that these things are vetted through the process. If we had simply jumped in and usurped the process before it even got a chance to start, there would be many members opposite who would be upset about it. I know members opposite ask me to speed up the environmental process of certain projects and so on in their ridings and, of course, I can't get involved.

It seems to me that if you have any respect for the environmental process we put in place in this province, and I think everyone does, that it needs to happen and it needs to be a full, broad review of environmentally sensitive issues, then it should happen. If it is not a meritorious or worthy request, then it won't stand the test. If it is, it will. But I think we should leave that to the experts rather than you and me.

**Mr Ramsay:** This is an issue of the major purchaser of dairy products in Ontario and in the Timiskaming district. They feel that if they get any complaints from their customers, they are no longer going to buy any of that milk from that district. That puts the viability of our agricultural area at peril. Your responsibility is to protect jobs in Ontario and protect the environment. My job is to protect the economy of my region and to prevent an environmental disaster from happening.

The member from Sarnia earlier brought to our attention in the House here today how farms are being abandoned in St Clair township because of the Safety-Kleen incinerator in Sarnia. You're asking my constituents, and you've just asked me and the people of Ontario, to have faith in an EA process in Ontario that will protect our food supply. Two weeks ago, as you know, the Canadian Environmental Law Association issued a scathing report that stated that the EA process in this province is a hollow shell of what it was and what it should be.

Minister, how can you ask the people of Ontario to trust your gutted EA process to protect our food supply when your processes have tragically failed to protect our water supply here in Ontario?

Minister, your government has the power and the obligation to step in now and protect northern agriculture and the safety of Ontario's food supply. I'm asking you today to stop this project in order to protect the environment, our food supply and the 600 farm families that farm in Timiskaming district. Will you do that today?

**1500**

**Hon Mr Stockwell:** I don't want to suggest that you're grotesquely overstating your position, but I think you are. With the EA process with respect to the water supply issue, I presume you're talking about Walkerton. I'm not sure how the EA process was flawed in that situation. If you could explain it to me, that would be good. But it seems like you're just piling rhetoric on top of possibly a good debate, and I don't think that's helpful.

Secondly, I can say to the member opposite that none of these applications come in that don't have opposition from community groups. They all have opposition from community groups. If we use your methodology in accepting or not accepting them, nothing would ever get done, because there's always somebody opposed. That's why we built the environmental assessment process. Yes, the report you cite says it's not up to snuff. There are other reports—some of the best reports—that say it is up to snuff.

*Interjection.*

**Hon Mr Stockwell:** It's not a question of that.

The point I'm trying to make to you is that we get these applications every day. If we dealt with the applications the way you're asking me to deal with them, which is just to say no out of hand, nothing would ever get built and we'd be in a worse situation.

I trust the environmental assessment process. I believe it is a good process. I will stand by the process. If it doesn't meet the test, it won't happen; if it does, it will.

## LONG-TERM CARE

**Ms Marilyn Mushinski (Scarborough Centre):** My question is for the Associate Minister of Health and Long-Term Care. It's about an article I'm very concerned about in last Sunday's Toronto Sun. It refers to the level of care that was provided to a now-deceased resident. According to that article, the patient suffered greatly as a result of shuffling back and forth in transfers between various health facilities. Minister, you may be aware that in my riding of Scarborough Centre, I have perhaps one of the largest concentrations of seniors in the whole of Toronto. I have many families that have expressed great concern to me about this article. I would like you to provide an update on this issue, please.

**Hon Dan Newman (Associate Minister of Health and Long-Term Care):** I'd like to thank the member for Scarborough Centre for her very important question. As the Associate Minister of Health and Long-Term Care, it's not only my job but my mission to ensure that every senior, not just in Scarborough but indeed in the entire province, gets the care they require when and where they need it. I want to assure the member that in every long-term-care facility in Ontario, every time a complaint comes forward, it is followed up by one of our compliance advisers. There are over 40 of these very capable staff who are there to ensure that our regulations are indeed being met.

Incidentally, there has been an increase of more than 25% in the number of advisers since we were first elected by the people of Ontario.

With respect to the matter mentioned by the member for Scarborough Centre, there is an investigation underway and it would be inappropriate for me to say anything more specific. But let me again say to the member that I share her concern that those long-term-care facilities receive the care they need.

**Ms Mushinski:** Minister, I appreciate that you do share the concerns many of my residents, and indeed I, have.

*Interjections.*

**Ms Mushinski:** If they stopped barking on the other side, perhaps they would be interested in this question. Looking at the wider issue, I wonder if you could tell this House what steps are being taken to ensure there is a seamless network of genuine care among CCACs, nursing homes and our hospitals so that patient care is always given first priority over turf wars.

**Hon Mr Newman:** The member for Scarborough Centre raises a very important issue. I want to assure the member that should a family member have an issue with the care their loved one is receiving in any of Ontario's hospitals, there is a patient advocate or a patient relations person designated in each of those facilities so they can have their concerns addressed. If your loved one is in a long-term-care facility and there is a problem, you can raise a complaint with the facility and one of the compliance advisers I mentioned earlier will investigate that complaint.

With respect to providing a seamless network, the Community Care Access Corporations Act, among other things will help streamline the waiting list process and make the delivery of services more efficient. Placement coordination regulations came into effect on May 1 this year and will help alleviate many of the concerns the member raised. I want the member to know I will do everything it takes to make sure all residents are treated with dignity, respect and, above all, the highest level of care.

## SLOT MACHINES

**Mr Dwight Duncan (Windsor-St Clair):** I have a question for the Premier. On April 10 of this year the then gambling minister, Tim Hudak, approved up to 800 slot machines for Picov Downs racetrack. This decision caused a firestorm reaction. In fact the industry expressed its outrage at this possibility prior to the cabinet taking its decision. In a letter dated March 5, 2002, Jane Holmes, executive director of the horse racing association, wrote to Hudak, and I quote, "It seems incomprehensible that Picov Downs may be allocated 800 slot machines." Can the Premier tell us now whether in fact those 800 slot machines were allocated, and if a final decision has been taken, how many machines have been allocated?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I believe the Attorney General has a response to this.

**Hon David Young (Attorney General, minister responsible for native affairs):** The member opposite, in raising this point, was good enough to reference the fact that the letter in question refers to "up to" a certain number of slot machines. No decision has been made as to how many slot machines will be allocated. There will be a consideration of various factors, including the business plan, and in due course there will be an announcement.

**Mr Duncan:** Minister, I say with respect that there is absolutely no argument that can be put for placing anywhere near 800 slots at Picov Downs. The number of slots placed at other tracks was done in proportion to total betting. Using the same formula, Picov Downs would be allocated two machines.

At its March 19 board meeting, the horse racing association passed a motion that stated in part, and I quote, "The association is strongly opposed to an allocation of 800 slot machines to Picov Downs as not being equitable, proportionate or consistent with the provincial racetrack slot machine program."

Published reports, however, have confirmed that Picov Downs gave a \$60,000 campaign contribution to the Flaherty leadership campaign and \$25,000 to the Eves leadership campaign. Given that this allocation of slots violates the racetrack slot machine initiative, given the industry association's opposition to any more than a proportionate number of slots, and given the fact that the then minister was supporting Mr Flaherty's leadership bid, would you not agree that the allocation of these slots



in any number above proportion is inappropriate, done for the wrong reasons and should be withdrawn in its entirety?

**Hon Mr Young:** In response to the first portion of the member's question, I acknowledged that he was fairly fair and accurate in his rendition of the overall situation, but interestingly, in his supplementary he read from a letter that came from the Ontario Horse Racing Industry Association. He failed to reference the fact that they publicly said they thought there was a reasonable number of machines that could be put there. What they're encouraging is what I'm encouraging the member opposite to do, which is to allow for the process to take place, the very same process that has taken place in relation to every other allocation of slot machines across this province, including, I might add, slot machines in his community.

### REGIONAL IMMIGRATION STRATEGY

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I direct my question to the Minister of Citizenship. There have been several days of press related to the federal immigration minister's proposal to locate newcomers with particular skills in areas or regions of the country that are in need of a particular type of skilled worker. It was reported yesterday in the National Post that Minister Coderre said his provincial counterparts are delighted by these ideas. Minister, could you clarify Ontario's position on this matter?

**Hon Carl DeFaria (Minister of Citizenship, minister responsible for seniors):** I thank the member for the question. I met a few weeks ago with Minister Coderre on this issue. I would like to indicate that matching a foreign skilled tradesperson or professional with a community in need is an idea that we believe warrants further discussion and study.

What I have indicated to the federal government is that we will work to explore regional approaches to immigration. Regional approaches must include an assessment of economic impact on Ontario. I have pointed out to the federal minister that Ontario is not in agreement with any strategy that reduces the number of skilled workers coming to Ontario. Ontario receives 60% of Canada's immigrants each year. Our outstanding concern regarding adequate funding must be resolved. Ontario's immigrants cannot go on and on being shortchanged in terms of national newcomer settlement funding. Ontario's immigrants deserve their fair share.

1510

**Mr Tascona:** I thank the minister for his response. We've been hearing a lot lately about the new federal Immigration Act and their new selection process for new immigrants coming to Canada. As you said in your response, 60% of newcomers choose Ontario.

Minister, what is our government doing to ensure that immigrants benefit both Ontario and choose to make the province their home?

**Hon Mr DeFaria:** I want to assure the honourable member and my colleague that Ontario is committed to helping skilled newcomers enter the labour force quickly and to become full participants in our economy. We want to attract the world's best and brightest to Ontario by helping foreign-trained professionals and tradespeople qualify for employment and meet skill shortages.

Our government is working hard to improve access to education and training opportunities for immigrants. For example, we invested \$12 million over three years to help foreign trade professionals and individuals employ their skills more quickly in Ontario. Some \$3.5 million over three years was announced in the 2000 budget to support bridging programs for foreign-trained nurses and pharmacists. We spent \$14.4 million of the job connect program budget for 2001-02 to help newcomers prepare for the job market, and we spent \$40 million in English-as-a-second-language training. These are just some examples of what Ontario's doing for newcomers to be able to settle and be part of—

**The Speaker (Hon Gary Carr):** New question.

### ENVIRONMENTAL PROTECTION

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Environment. One of your own cabinet colleagues, the Minister of Labour, thinks you're doing a bad job of protecting the environment. He thinks it's a bad idea to allow millions of litres of runoff from garbage dumps to be discharged into the Hamilton sewer system and the Hamilton harbour. He had to file an application with the Environmental Commissioner of Ontario, asking for a review of your policy of allowing this runoff to be discharged into city sewers. He says he's been raising this issue for years with you and with the previous Minister of the Environment.

Minister, why should the people of Ontario trust you to protect the environment when obviously one of your own cabinet colleagues doesn't trust you?

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** Let's understand this issue. The original environment minister that the member was writing letters to was Bud Wildman, and that was in the NDP caucus.

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** And they sat beside each other.

**Hon Mr Stockwell:** That's right. And Mr Wildman didn't even bother writing him back. I appreciate the fact that you think just because people are in cabinet, that somehow they don't represent their constituencies. They do, and this member does a great job representing his constituency, and he's brought this issue to my attention. I gave him an undertaking that we would review it and get back to him as soon as possible with respect to an answer.

I have no difficulty—

**Mrs Sandra Pupatello (Windsor West):** Soft, warm and fuzzy.

**Hon Mr Stockwell:** Yes, soft, warm and fuzzy. You might want to go to that school.

In the future, if you have any concerns that you want to bring to my attention, I'll be happy to look at those as well.

**Mr Hampton:** This is unprecedented. People only write to the environment commissioner when they can't get any attention from the Minister of Environment. This is really an unprecedented step.

We're actually finding a lot of people who are complaining about this. We're finding people complain about the government's decision to take water from the Tay River, the deadly smog from coal-fired generating stations, the failure to provide safe drinking water, the minister advocating shipping PCBs to Kirkland Lake. People say, "When we ask the Minister of Environment about these things, he ignores us."

Minister, if a cabinet minister in your own government has to file an application with the environment commissioner to get attention for an environmental issue, what does it take for the citizens of Ontario to get some action from you on the environmental problems they raise?

**Hon Mr Stockwell:** Some action? This is the only government that's provided any action on the environmental front. It's true. You people piddled around for five years buying NUGs—\$5 billion in NUGs, not doing anything about the coal-fired plants except running them, running them, running them, with no alternatives, running up the debt, increasing all of the borrowing costs at Hydro One. This is the government, under Jim Wilson's leadership, that actually allowed green power to get on the grid, that actually allowed solar and wind power on the grid. This is the government that's providing nuclear power, which is now clean power. This is the government that's providing opportunities for green power to get on the grid so that people have an option to buy it.

What did you do when you were in power? You did nothing. All you did was traipse around Costa Rica looking for land to buy. You spent \$5 million on NUGs that produced no power. You made sweetheart deals with unions to write union fight songs. You people didn't do anything for the environmentalists in this province. We can thank Jim Wilson and this government for defending the greens.

#### DOCTOR SHORTAGE

**Mrs Sandra Pupatello (Windsor West):** My question is for the Premier of Ontario. This week you were expressing frustration with the doctor shortage throughout Ontario. You blamed the College of Physicians for a lack of will to streamline the integration of foreign-trained physicians into our health system instead of leaving them working as cab drivers in most urban centres.

Is the Premier aware of the number of short-term solutions we have advanced to you to get people service in this province? Creation of a SWAT team to allow foreign-trained doctors to get through quicker, and the

Ministry of Health says there are 1,500 people who could work tomorrow; funding of community health centres' applications that are sitting on your desk today; funding of nurse practitioners, 200 of whom are underutilized today; changing the billing to OHIP from clinics so there's a greater incentive for doctors to practise in family practices.

Premier, we have given you short-term solutions, but you choose instead to blame the college. When will you take responsibility and acknowledge that solutions have been presented to you and you've done nothing about them?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** That is simply not correct. This government has taken many steps to deal with physician supply in Ontario, ranging from paying for medical students to go to school to accelerating the foreign physician component in Ontario. Yes, there could be more, I believe, and we are taking steps to urge those who control this to allow people to practise medicine who are qualified to do so.

You didn't exactly quote the article from the Kitchener-Waterloo Record correctly; I presume that's where you got this. We talked about the many things we were doing, if she's reading from that article, to increase physicians in the province, and the minister certainly is doing that.

**Mrs Pupatello:** Premier, you're the one who said this week that you can't have doctors tomorrow. I'm telling you your own ministry has said there are 1,500 people in Ontario who could be working tomorrow, but you instead choose to blame the college. You said there aren't short-term solutions and we're telling you that you can do things short-term and long-term.

You, Premier, are obviously unaware that you control the mandate of the college. The college is a creature of the provincial government. I am suggesting to you that with a stroke of a pen you can change the mandate of the college to streamline the process, to have some kind of amnesty period to get these doctors working. It is within your power to do this and you can do it today without even bringing a bill into this House for debate. Surely all sides would agree to that kind of change. It is within your grasp to do it, and instead of blaming them, you have the solution at your fingertips. I'm asking you today if you will expand the mandate of the college and insist that this work be done, and do it today.

**Hon Mr Eves:** As the honourable member's voice got louder and louder, she was getting more and more frustrated, I gather.

With respect to this issue, first of all, she talked about nurse practitioners. The government has made a commitment to doubling the number of nurse practitioners in the province, and I assure her she won't have to wait too long until she sees some very concrete results out of that. With respect to the Ontario College of Physicians and Surgeons, the members opposite are the first ones to jump up if they think there's even a hint of government interference with respect to independent boards that run



professions and occupations. Now I have the honourable member standing up in the House today urging us to interfere with a body that is charged with professional responsibility in Ontario.

### ONTARIO DISASTER RELIEF ASSISTANCE PROGRAM

**Mr R. Gary Stewart (Peterborough):** My question is for the Associate Minister of Municipal Affairs and Housing. Two weeks ago, many residents in my Peterborough riding woke up to flooded basements, backyards and streets. A rainstorm that some say was comparable to the 100-year storm hit the city of Peterborough particularly hard. In some areas over 200 millimetres of rain fell overnight, more than the cumulative amount for the entire month of June in 2001. The fire department has pumped water and sewage from almost 300 basements, and public works crews have been working very hard to contain and repair the damage to municipal property. Small businesses and residents have suffered great loss.

Minister, I understand that the city of Peterborough can make an application to the Ontario disaster relief assistance program if the municipality is deemed a disaster area. Could you please tell the House and the residents of Peterborough more about this program and the assistance that may be available to them?

1520

**Hon Brian Coburn (Associate Minister of Municipal Affairs and Housing):** The Ontario disaster relief assistance program is intended to alleviate the hardship suffered by farmers, homeowners and small businesses when essential property is severely damaged due to a natural disaster. This program provides financial assistance to those who have sustained heavy losses for essential items such as shelter and the necessities of life.

One of the things it doesn't cover, though, is when you have private insurance, and that's something that is taken into account when an assessment goes on in these situations. ODRAP, or the Ontario disaster relief assistance program, provides assistance when damages are so extensive that they exceed the financial resources of the affected individuals, the municipality and of course the community at large. Recently, for example, Minister Hodgson declared the area around the Rainy River district a disaster area.

**Mr Stewart:** Thank you, Minister, for sharing this information with my constituents. Unfortunately, similar circumstances prevailed this morning in another very devastating storm.

Minister, the city of Peterborough has informed me that they've passed a resolution to ask the Minister of Municipal Affairs and Housing to declare the entire city to be a disaster area. When can we expect a decision about this request to be made so that residents and businesses in my riding will know if the financial burden of cleanup will be erased?

**Hon Mr Coburn:** Since the severe rainstorm of June 11 and 12 in Peterborough, our staff have been working

closely with city of Peterborough officials, providing timely information relating to the Ontario disaster relief program. They have toured the city and the affected area to see at first hand the amount of damage.

The city of Peterborough has indeed requested that the Minister of Municipal Affairs declare the city a disaster area for the purposes of gaining access to the disaster relief program. After assessment and consultation to determine the amount of damage, those are things that are taken into account and reviewed by the minister. After timely review of that, he will be able to respond to this request.

### IMMIGRANT AND REFUGEE SERVICES

**Mr Tony Ruprecht (Davenport):** I have a question for the Minister of Citizenship. Mr Minister, your ministry staff have admitted that funding was cut from \$5.1 million to \$3.9 million for newcomer settlement services, which in turn affected a whole bunch of programs; for instance, the Ontario Welcome Houses, the Advisory Council on Multiculturalism, ESL programs, newcomer orientation classes, and English for parents with pre-school children. And you know what? Yesterday, this minister had the gall to get up and say, "Ontario is a province of promise where a young man's dream can become a reality."

Well, Mr Minister, your dream became a reality because you had access to English-language programs. Your parents had access to English-language programs. But how do you expect other people in Ontario to have their dreams come true when you're cutting this access to ESL programs and newcomer services? Will you stand up today and make one more promise, and that is to reintegrate and reinstate those programs; for instance, the Ontario Welcome Houses, the Advisory Council on Multiculturalism, the race relations committee and finally ESL program funding? Please reinstate them. We're begging you to do it.

**Hon Carl DeFaria (Minister of Citizenship, minister responsible for seniors):** I will refer it to the Minister of Education.

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I'd just like to make reference to the amount of ESL funding that has been provided by this government since the introduction of the student-focused funding. In 1998, we were allocating \$111.3 million. I'm pleased to say it's projected that this year we will be providing \$168.5 million to the boards to support them in this endeavour.

**Mr Ruprecht:** Mr Speaker, excuse me for a second, please. I asked the Minister of Citizenship about other kinds of programs. I asked him when he is going to reinstate the Welcome Houses, and all I get here is the Minister of Education talking about one specific program, which forces me to ask my next question. It changes my next question totally, and that is, across this province—

*Interjections.*

**Mr Ruprecht:** You haven't got the guts to answer this question, because you simply don't know. You can't make the promise to reinstate those programs, because your money is being cut off.

Over here, we have a number of people of Portuguese background. They have come and they want to find out today when you will reinstate their specific program, and you are pushing it off to the Minister of Education. We want to know from you what you are going to do about these programs. They're here today specifically to ask you that question.

Mr Minister, let me finally tell you this: there are 668,000 people who are taking English-language programs today in Ontario, and there are 60,000 here in Toronto. The demand is high. But do you know what you are doing? You're cutting it by 31%. That's shameful. How will they integrate? How will they become good Canadian citizens?

Finally, I tell you simply this—

**The Speaker (Hon Gary Carr):** Order. The member's time is up. Minister of Education?

**Hon Mrs Witmer:** I'm going to refer it back to the Minister of Citizenship.

**Hon Mr DeFaria:** I don't know if the member was preparing petitions when the member from Barrie-Simcoe-Bradford asked the question and I answered the question here. But if he was, he probably should be going back to his petitions. That's what he does better in this House.

The government is committed to helping newcomers. Ontario spends approximately \$50 million a year on settlement and language training programs for immigrants. My ministry's \$3.9-million newcomer settlement program funds more than 80 community agencies that provide services for the Portuguese community. Those people there can applaud for me. Come on, you can applaud for your member. You know very well we provide services.

*Interjections.*

**The Speaker:** Order. The member for Davenport, take his seat. The member for Davenport, you've asked your question. It's now the minister. You have about 10 seconds to wrap up.

**Hon Mr DeFaria:** As I indicated before, the Minister of Education spends \$40 million on adult English education, ESL, every year.

*Remarks in Portuguese.*

**Mr Ruprecht:** On a point of order, Mr Speaker: *Remarks in Portuguese.*

**The Speaker:** Order. Member, take your seat.

1530

*Interjections.*

**The Speaker:** You didn't even realize no one heard you, which may have been the point of it. The clock was stopped. We've had our fun now. You've probably cost the Liberals another question by those antics, which doesn't matter to me. If you don't want to have the questions, that's fine. We got down to the Liberal question. We probably won't today. If you don't want to have your

colleagues ask questions, it's fine by me. I don't care how many questions we get in here.

## ONTARIO INSTITUTE OF TECHNOLOGY

**Mr John O'Toole (Durham):** That's a hard act to follow.

My question is to my very good friend the Minister of Training, Colleges and Universities. As MPP for Durham I consider it a duty, indeed a privilege, to ensure that this House does everything possible to support the Durham university. My constituents and the residents of Durham region and surrounding areas want reassurance that the University of Ontario Institute of Technology will be open on schedule in 2003. It is vital, indeed it's critical, that legislation to establish the university will be passed by this House.

Gary Polonsky, president of Durham College, as well as Doug Wilson, chair of the board of governors, and Bob Strickert, vice-chair, are among the members of the educational community who are anxiously awaiting the passage of this legislation. It is also about the students. There are families in Durham who are looking forward to the next step in establishing the university.

Minister, can you confirm that the incorporation of the Durham legislation as part of the budget bill will provide the necessary support to establish the university on schedule?

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** I'm happy to respond to the member for Durham who poses this as a critical question to myself. I want everyone in this House to know that the member for Durham has worked for over two years with regard to representing his constituents as a strong supporter of the University of Ontario Institute of Technology.

Members of this House will know that this legislation to establish UOIT is part of the 2002 budget bill introduced by the Minister of Finance. I think it's a fitting combination because this is a good news budget which works perfectly with a good news bill which will, of course, support our young people from Durham and their families, as well as others across this great province of Ontario. It's being debated before the House. We hope it will be passed in the very near future. It is critical that it be passed. It's our newest university and we know that it will start on time for those students.

**Mr O'Toole:** Thank you, obbligato, Minister.

I appreciate the fact that the minister is committed to providing priorities and service for students and employers and in providing the finest educational opportunity in Durham. I commend you for your leadership, vision and commitment.

I also realize that the new university in Durham is only one part of our response to a larger issue and that is the issue of the double cohort. Minister, can you ensure that there is space for every qualified post-secondary student at our colleges and university? Students in the double



cohort year are scheduled to begin their application process within the next six months. Could you kindly provide us an update on how our colleges and universities will meet and accommodate this challenge to the students and make this province a great place to live, to work and to raise a family?

**Hon Mrs Cunningham:** It's with pride that I say that earlier this week, on Monday, it was great to be able to join the chair of the Council of Ontario Universities as he and I made an announcement to say that this year we're on track, that the increase in acceptances for next September, alone, is exactly in line with the increase of applicants.

This is what we strove for this year as we saw our grade 13 students fast-tracked. Those are generally students who are hoping to go on to university. I think it's a test for the province, for the colleges and the universities, the parents, our students in our secondary schools, their teachers and their guidance teachers to work together to get this great accomplishment for September. I believe, and I'm absolutely positive, that every member in this House can reassure our young people there will be a space for them in September 2003. Our plan is working, it's in place and we're very proud of the way our system works on behalf of students.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: I seek unanimous consent to pass Bill 65, government order G65, the bill that would answer this and approve the Durham college. I seek unanimous consent to give second and third readings for passage of that bill right now.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I appreciate the opportunity the House leader for the opposition is giving me today. If he had only given it to me before we introduced the budget bill, he would have known full well we accepted it. But if we accept the offer now, it will make the budget bill out of order.

*Interjections.*

**The Speaker (Hon Gary Carr):** I suggest the House leaders have their meetings outside of the House, and certainly not during question period, and I'm glad I'm not part of it.

#### TRAITEMENT DES RAPPORTS OFFICIELS

#### TREATMENT OF OFFICIAL REPORTS

**The Speaker (Hon Gary Carr):** The member for Timmins-James Bay.

**M. Gilles Bisson (Timmins-Baie James):** Ma question est pour le premier ministre. Vous savez que plus tôt cette après-midi, j'ai déposé à l'Assemblée un projet de loi intitulé Loi de 2002 sur le traitement paritaire des rapports officiels en deux langues. Ce projet de loi, dit que, quand on donne le pouvoir à une commission d'enquête d'aller rechercher quelque chose comme Walkerton, à la fin de la journée, quand le rapport est

déposé ici à l'Assemblée, il est déposé en français en même temps qu'en anglais.

Je vous pose une question très simple. Êtes-vous préparé à accepter ce projet de loi ?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** Of course it has always been the government's policy, since 1986 I believe, to publish any such report or document in both official languages. I certainly don't disagree with the principle the honourable member is suggesting in the House today. I would add one slight word of caution, and that is that where the health and safety of individuals might be concerned, as was the case with Mr Justice O'Connor's report with respect to Walkerton, I think there has to be some leeway with respect to those types of things. But in principle, I agree with the honourable member's suggestion.

**M. Bisson:** J'ai la moitié de la réponse que je veux avoir, mais ce qui est clair, c'est que, si on aurait eu un tel projet de loi en place, ça veut dire que, quand M. O'Connor avait fait son travail, en même temps qu'il écrivait son rapport en anglais, on aurait eu des traducteurs en place pour faire la traduction pour qu'elle sorte pas mal en même temps que le rapport qui est sorti sur Walkerton.

Ma question est très simple. Si vous êtes d'accord avec le principe, est-ce que vous êtes préparé à donner le support de votre caucus quand ce projet de loi vient ici, soit aujourd'hui, demain ou à l'automne ?

**Hon Mr Eves:** To the honourable member, I've just heard about his suggestion today, obviously. I'm quite prepared to take it under consideration. I would remind him, though, that the Walkerton report, for example, was some 800 pages long. It's fairly substantial. But I think in principle it's a good idea.

#### CONSUMER PROTECTION

**Mr Bruce Crozier (Essex):** My question is for the Minister of Consumer and Business Services. Today I introduced a bill called the Gasoline Consumer Protection Act. It would require service stations to give 72 hours' notice prior to price changes. It would require gasoline stations, on their signs, to indicate how much tax is in a litre of gasoline. It would require gasoline station retailers to indicate any connection they might have with a major gasoline supplier. It would as well require that oil-producing companies, gasoline-producing companies, segregate their earnings so that we can tell what they made from production, what they made in the wholesale area, what they make in the retail area.

I know the minister shares my concern for consumer protection. Therefore, I wonder if the minister would support me on this private member's bill and would also support a motion for unanimous consent for second and third readings.

**Hon Tim Hudak (Minister of Consumer and Business Services):** It's with great regret that I refer this to the minister responsible for gas pricing issues, the Minister of Energy.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** Thank you for that ringing endorsement.

I think obviously the member opposite would accept the fact that before anyone would agree to second and third reading and passing a bill, they should have the opportunity to read it. You just introduced it today. I heard your brief explanation of your bill, and I think it would be imprudent of me to respond for an entire government until we've actually seen the bill, had a chance to caucus the bill and talk about the bill.

So at this point in time, no, I can't agree to second and third reading of this bill, but I will give you an undertaking that certainly, in due course, this caucus will consider it and in the fullness of time we will come back with a sharp, clear response.

1540

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: The government refused to give unanimous consent to passing Bill 65, the Durham bill. There's another bill on the order paper, Bill 139. The bill is identical to the other bills before this House. I seek unanimous consent to give second and third reading and final approval of the Durham College bill, Bill 139, which originally came out of Mr Flaherty's budget and stood in Mrs Cunningham's name. The bill is identical. I seek unanimous consent to pass second and third reading of Bill 139.

**Hon Mr Stockwell:** The member is playing games over there.

*Interjections.*

**Hon Mr Stockwell:** To be fair—and I don't want to take up a lot of time in the House—these bills were all tabled, we had to time-allocate them, we tried to get debate and they wouldn't pass them. Now that they're in a budget bill they want to pass them so the budget bill is out of order. It's just silly gamesmanship. Let's get on with the business of the House, for heaven's sake.

## PETITIONS

### CHILDREN'S HEALTH SERVICES

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** I am pleased to present two petitions today on the same subject. It's a wonderful petition from Principal David Cresswell and the students and staff at Rockwood public school at RR 7, Pembroke, a petition which reads, in part:

"To the Legislative Assembly...:

"Whereas the Ontario Conservative government is planning to close the children's cardiac surgery services unit at the Children's Hospital of Eastern Ontario in Ottawa by April 2003; and

"Whereas the Conservative government is planning to centralize all children's cardiac surgery services in Toronto....

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To cancel all plans to centralize children's cardiac surgery services in Toronto and to keep open the children's cardiac surgery services unit at the Children's Hospital of Eastern Ontario in Ottawa."

Proudly, I present and endorse this petition. A similar petition is signed by scores of people in the Deep River, Pembroke and Petawawa area calling as well on the government to maintain the children's heart surgery facilities at CHEO in Ottawa.

## HEALTH CARE

**Mr John O'Toole (Durham):** I'm pleased to present a petition to the Legislative Assembly of Ontario on behalf of my constituents in the riding of Durham.

"Whereas we, the undersigned, wish to express our concern about the current debate on our health care system; and

"Whereas medicare has saved a generation of Canadians from fear of financial ruin due to illness; and

"Whereas this system is now in peril...."—according to these people;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to work co-operatively to uphold the five principles of the Canada Health Act which are in need of reinforcement and new commitment. These principles are: accessible, universally available, publicly administered, portable and comprehensive.

"We further ask that Canadians be provided with a properly funded and sustainable not-for-profit health system. We ask that Canada take back its role as a leader in national health care, insured by a public health system fully supported by the federal and provincial governments."

I'm very pleased to present this for Elizabeth Faira as well as to give it to the dutiful page here, Andrew.

## LONG-TERM-CARE FACILITIES

**Mr John C. Cleary (Stormont-Dundas-Charlottenburgh):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the over 60,000 Ontarians living in long-term-care facilities are older, frailer and sicker and require more care than ever before;

"Whereas government funding has not kept pace with increasing needs of residents of long-term-care facilities; and

"Whereas current funding levels only allow limited care;

"Therefore we, the undersigned, petition the Legislative Assembly to ask the government to provide additional operating funding to increase the levels of staffing to an acceptable level of service and to reduce the risk to those individuals living in long-term-care facilities across Ontario."

I have also signed the petition, along with 464 of my constituents.



## HEALTH CARE

**Mr John O'Toole (Durham):** The petitions keep coming in and I keep reading them.

"To the Legislative Assembly of Ontario:

"Whereas we, the undersigned, wish to express our concern about the current debate on our health care system; and

"Whereas medicare has saved a generation of Canadians from fear of financial ruin due to illness; and

"Whereas this system is now in peril;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to work co-operatively to uphold the five principles of the Canada Health Act which are in need of reinforcement and new commitment. These principles are: accessible, universally available, publicly administered, portable and comprehensive.

"We further ask that Canadians be provided with a properly funded and sustainable not-for-profit health care system. We ask that Canada take back its role as a leader in national health care, insured by a public health system fully supported by both the federal and provincial governments."

I'm pleased to present this on behalf of one of my constituents, Ms Lofsky.

## CHILDREN'S HEALTH SERVICES

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):**

"To the Legislative Assembly of Ontario:

"Whereas the Ontario government is shutting down the heart surgery unit at the Children's Hospital of Eastern Ontario; and

"Whereas the closure of this program will restrict the accessibility to life-saving surgery for children in eastern Ontario; and

"Whereas every year CHEO treats 140 cases of seriously ill children close to home; and

"Whereas centralizing children's heart surgery in Toronto would force patients and their families to travel 400 to 600 kilometres away from home at a traumatic time; and

"Whereas there is a waiting list for cardiac surgery in Toronto but not at CHEO; and

"Whereas the people of eastern Ontario demand accessible, quality health care for their children;

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately override the government's decision to close this life-saving program and to ensure that top-quality, accessible health care remains available to every child in eastern Ontario."

This is accompanied by two municipal council motions that come from North Glengarry and North Dundas.

## MATER'S MORTGAGES

**Mr James J. Bradley (St Catharines):** This is to the Legislative Assembly of Ontario.

"Whereas Mater's Mortgages investors have battled for a decade to receive compensation for their losses, which were incurred as a result of overzealous action on the part of an official in the Ministry of Financial Institutions, as was proven recently in a parallel criminal case;

"Whereas Mater's Mortgages investors believe that their civil action against the government of Ontario has been unduly and unnecessarily delayed in the courts by legal representatives acting for the government of Ontario;

"Whereas the new investors' committee of Mater's Mortgages has requested that legal representatives of the government of Ontario meet with legal representatives of Mater's Mortgages investors to discuss the possibility of reaching an out-of-court settlement in the investors' civil case against the Ontario government;

"Whereas many Mater's Mortgages investors are senior citizens who placed their life savings in these assessments and have suffered from extreme stress and financial hardship and continue to do so;

"We, the undersigned, petition the Legislative Assembly of Ontario to encourage the government of Ontario to take immediate action to appoint a case manager to expedite the case involving the class civil action of the representatives of Mater's Mortgages investors against the government of Ontario;

"Further, we petition the Legislative Assembly to urge the government of Ontario to engage immediately in serious discussions with legal representatives of Mater's Mortgages investors with a view to reaching a fair out-of-court settlement with the investors and urge the government to instruct its legal representatives to cease any and all legal activity designed to prolong the duration of the case."

I affix my signature.

## COMPETITIVE ELECTRICITY MARKET

**Mr Tony Ruprecht (Davenport):** I have a petition that concerns hydro deregulation. It's a very serious petition. It's addressed to the Parliament of Ontario and reads as follows:

"We, the undersigned residents of Toronto, demand that the government postpone the electricity deregulation process scheduled for May 1.... until the Ontario public is given proof that deregulation will not result in price increases, and

"Place a moratorium on any further retailing of electricity until the Ontario Energy Board comes up with a standard contract to be used by all retailers; and

"That a standard contract spell out in clear terms that residential users are waiving their rights to future rebates in exchange for fixed rates over a specified period of time; and

"That a non-partisan public education campaign begin immediately, explaining what consumers should look for, and look out for, when signing contracts."

Since I agree with this petition, I am signing it as well.

1550

### EDUCATION FUNDING

**Mr David Caplan (Don Valley East):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the Progressive Conservative government promised in 1995 not to cut classroom spending, but has already cut at least \$2 billion from our schools and is now closing many classrooms completely; and

"Whereas international language weekend classes are a needed part of learning for many students in my area; and

"Whereas the Education Act, specifically regulation 285(5), mandates provision of these programs where demand exists; and

"Whereas the Conservative government's"—Ernie Eves's—"funding formula is forcing the Toronto District School Board to cancel these Saturday classes for parents and students who want this programming;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to instruct the Minister of Education to restore meaningful and flexible funding to the Toronto District School Board, to ensure that they are able to continue to accommodate these Saturday international languages classes."

I agree wholeheartedly with this petition and I have affixed my signature to it.

### AFFORDABLE HOUSING

**Mr Michael Bryant (St Paul's):** "To the Legislative Assembly of Ontario:

"Whereas the number of tenants receiving above-guideline increases is growing exponentially, and;

"Whereas many of these increases are for increases in utility costs, many of which have gone down since; and

"Whereas tenants should not have to pay for improvements forever, even when the costs have been realized by these rent increases; and

"Whereas the Tenant Protection Act does not give a tenant relief due to the costs being realized or a drop in utility costs; and

"Whereas tenants should not be receiving rent increases where there are work orders issued for the building;

"Therefore be it resolved that we, the undersigned, petition the Ontario Legislature to immediately pass MPP David Caplan's Bill 134"—with the strong support of the MPP from St Paul's, Michael Bryant—"entitled the Fair Rent Increases Act at the earliest possible opportunity so that tenants can get relief from above-guideline increases once the bills have been paid."

I so support the petition and this bill that I'm going to sign this one myself.

### HYDRO ONE

**Mr David Caplan (Don Valley East):** These petitions just keep coming on.

This one's called Stop the Sale of Hydro One.

"To the Ontario Legislature:

"Whereas"—Ernie Eves—"the Conservative government plan to sell off Hydro One and Ontario's electricity transmission grid—the central nervous system of Ontario's economy;

"Whereas the government never campaigned on selling off this vital \$5-billion asset and never consulted the people of Ontario on this plan;

"Whereas Ontario families want affordable, reliable electricity—they know that the sale of the grid that carries electricity to their homes is a disaster for consumers;

"Whereas selling the grid will not benefit consumers—the only Ontarians who are going to benefit from this plan are Bay Street brokers and Hydro One executives;

"Whereas selling Hydro One and the grid is like selling every 400 series highway in the province to private interests—selling the grid means the public sector will no longer be responsible for its security and protection;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature as follows:

"We demand that the Conservative government" and Ernie Eves "halt the sale of Hydro One until the government has a clear mandate"—and I think that's the important part of this petition—"from the owners of Hydro One—the people of Ontario."

This is an outstanding petition. I agree with it, and I have affixed my signature to it.

### ONTARIO DISABILITY SUPPORT PROGRAM

**Mr Gilles Bisson (Timmins-James Bay):** I'm so glad to see the Liberal caucus supporting our NDP petitions against the privatization of Hydro. It just warms the heart.

Anyway, I have literally thousands of names here from various constituents across my riding. It reads as follows.

"Petition...

"To the Legislative Assembly of Ontario:

"Whereas people with disabilities who rely on the Ontario disability support program payments are facing rising costs; and

"Whereas people unable to work because of serious disabilities have had no increase in support since 1995; and

"Whereas with loss of rent controls their rents have skyrocketed, placing huge financial strains on many ODSP recipients;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to bring fairness to the Ontario Disability Support Program Act, 1997"—support Mr Tony Martin from Sault Ste Marie's bill that would have done the same—"by amending it to provide for



regulations requiring annual cost-of-living adjustments to income support programs.”

I gladly put my signature to this petition, along with my friend from Sault Ste Marie.

### SALE OF SCHOOLS

**Mr Tony Ruprecht (Davenport):** I have a petition to the Legislative Assembly of Ontario and it reads as follows:

“Whereas the Hughes Public School at 17 Innes Ave in the city of Toronto closed down and its premises have been declared surplus by the Toronto District School Board (TDSB);

“Whereas the city of Toronto has issued a building permit to the TDSB permitting the reconstruction of Hughes Public School for an entity called Beatrice House, for the purpose of a private academic school;...

“Whereas within the context of the zoning bylaw (438-86), the subject lands have been designated as R2 Z0.6 and permits a ‘private academic, philanthropic or religious school’;

“Whereas the TDSB has chosen not to lease the subject premises to a computer training company for \$1.25 million annually. Instead, the board has chosen to lease it to the Beatrice House for a fraction of the current market value;

“Whereas a lease has not been signed between the TDSB and Beatrice House while renovations to the building are underway;

“Whereas local taxpayers’ concerns have been ignored by the TDSB;

“Whereas other locations, such as the Brother Edmund Rice School at 55 Pelham Park or the Earls court Public School at 29 Ascot, which are being closed down, have been offered to Beatrice House to no avail;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Honourable Minister of Education investigate the leasing arrangement between the Toronto District School Board and Beatrice House inasmuch as:

“(1) Boards are to seek fair market value when selling, leasing or otherwise disposing of schools, except that the price for the property not to exceed the value of the ministry’s grant for the new pupil places when the purchaser is a coterminous board, a provincial school or a publicly funded care and treatment facility offering programs leading to a diploma;

“(2) Boards are to offer the property to coterminous boards and other public agencies operating in the area in accordance with the priority order currently specified in regulation 444/98;

“(3) Toronto District School Board has not dealt in good faith with our neighbourhood residents;

“Therefore, we respectfully ask you to consider our plea for justice. The Toronto District School Board has ignored our concerns and due diligence. We as a community tried everything within our power to fight the glaring and obvious wrong done to us, to no avail.”

I’ll sign this petition as well.

## ORDERS OF THE DAY

### TIME ALLOCATION

**Hon John R. Baird (Associate Minister of Franco-phone Affairs):** I move that pursuant to Standing Order 46 and notwithstanding any other standing order or special order of the House relating to Bill 109, An Act to implement the measures contained in the 2002 Ontario Budget, and to Implement other initiatives of the Government of Ontario, when Bill 109 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill, without further debate or amendment, and

That no deferral of the second reading vote pursuant to standing order 28(h) shall be permitted; and

That on the same day that the bill receives second reading, it may be called for third reading and;

When the order for third reading is called, the Speaker shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

That no deferral of the third reading vote pursuant to standing order 28(h) shall be permitted; and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

**The Acting Speaker (Mr Bert Johnson):** The Chair recognizes the chief government whip and deputy House leader.

**Hon Mr Baird:** I would ask for unanimous consent that the leadoff speech be given by Mr Wettlaufer.

**The Acting Speaker:** Agreed? It is agreed.

1600

**Mr Wayne Wettlaufer (Kitchener Centre):** I’d like to thank all the members of the House for departing from the original plan.

We all know 2001 was a very difficult year. The global economy underperformed what was anticipated, and certainly Ontario was no different, but nevertheless, in spite of what the global economy did in the year 2001, we see now where the economy is rebounding quite nicely in Ontario and elsewhere in the world.

For a period of five years, we had growth of 5% or better in the GDP. Last year, Ontario’s growth was only 1%. In the wake of the terrorist attack on September 11, where we had an economic expansion that was fragile, forecasts indicated that certainly we wouldn’t be in that 5% growth target. The forecasts themselves proved to be optimistic for last year and this year they have proved to be pessimistic. They never anticipated the growth would rebound the way it has.

I think we have seen that the growth has been so phenomenal in the last couple of months in Ontario that I believe Ontario’s economy has demonstrated once again that it can surpass anything in North America and anything in any jurisdiction of the G7.

The tax cuts our government implemented from 1995 until the year 2000 have cushioned any negative impact

from the downturn in the US economy. Already our economy is outstripping the growth in the American economy. These policies we implemented are responsible for the rebound in our growth.

Ontario's economy is forecast to grow this year at a rate of 3.1%. Next year real growth is anticipated to be at 4.2%. We are growing at a very good rate. Ontario's economy is once again leading this country and is helping the federal government balance its books.

Job creation, consumer and business confidence, consumer spending and housing markets are all renewed and they point to vigorous growth. Is there anybody here who can honestly say that tax cuts didn't contribute to this? There are those critics across the way who say, "Oh well, the government isn't proceeding with its tax cuts." Just a minute. We may not be proceeding with all the tax cuts, but for small business the corporate tax cut is still being put in place.

Another tax cut that was near and dear to my heart—I've been advocating for it for a couple of years—was the cut in sales tax on automobile insurance. As you know, the NDP put that into effect in the early 1990s; I believe it was 1992. They imposed a 5% PST on automobile insurance premiums. Everybody who drives a car has to buy automobile insurance, and with premiums now approaching \$1,000 on average, that's a \$40 assessment against absolutely every Ontarian driving a car. We have reduced that to 1% in this budget.

The automobile industry, not just the automobile but the auto parts sector as well, and the telecommunications equipment manufacturing industry were particularly hard hit last year, but they are growing now at a very good rate. The tragic events of September 11 dealt a terrific blow not just in human costs but certainly in economic costs through the destruction of economic activity and sharp but temporary declines in confidence. Of course, that relates immediately to a reduction in spending.

Although the province was severely affected by the global slump, the economy performed much better than it did during the early 1990s, when the NDP was in power. At that time, we know that worldwide growth had also faltered, but it had faltered for a much shorter time elsewhere in the world and certainly in the United States than it did here in Canada and in Ontario. So our rebound from that short-lived reduction in growth—I shouldn't say reduction in growth, but reduced growth this year—was directly related to our economic policies between 1995 and now. Without those economic policies, we could very easily have been in the same situation that the province was in when the NDP was in power. But our government knew what was necessary in the intervening years, and certainly now the steps we have taken are going to aid the economy to be renewed again.

There have been some attacks by those people who engage in propaganda about the amount of money that we spend in health care and how much money we spend in education. Joseph Goebbels headed up the Hitler propaganda machine during World War II. I can only say that his propaganda, his philosophy, was to tell a big

enough lie often enough that people will eventually believe it. Some of our critics are engaging in just that kind of despicable propaganda.

Health care expenses are up. In 1995, health care expenses were \$17.5 billion—\$17.4 billion to be exact. They are now \$25.7 billion. Education: we are now spending a record amount in education at \$14.3 billion.

Prior to the budget coming out, there was some polling done as to what Ontarians expected in terms of their government in the budget. Ontarians expected increased spending in health care, Ontarians expected increased spending in education, and Ontarians expected increased spending on the environment, but not just increased spending—increased attention to, increased focus on, those areas. This budget responded in those ways.

Shortly after the budget, the National Post conducted a poll. The poll gave us pretty good marks. Of those polled, 77% agreed with our government increasing by \$5 a carton the provincial tax on cigarettes; 68% supported our government in the \$245-million new investment into clean water initiatives; 64% agreed with the increase of \$1.7 billion that the budget put into health care. Health care, by the way, is now receiving 45% of all government operational spending here in Ontario. Some 64% agreed with the \$1.8-billion increase in government revenue through the sale or rental of public assets; 64% agreed with the \$117 million in new funding for public schools, an increase of 3% over last year; 64% agreed with \$520 million for new municipal infrastructure; and 58% agreed with delaying the increased tax deduction for parents whose children attend independent schools. I may not agree with that one, but I'm talking about the average in Ontario.

**1610**

Numbers like that show that Ontarians overwhelmingly support this budget and this government, because they believe they can continue to trust this government in managing the books. They can trust us more than they can trust either of the two opposition parties. They believe that only the Eves government can face the challenge of guiding Ontario smoothly through a new area. They also believe—

**Mr George Smitherman (Toronto Centre-Rosedale):** You don't believe that, do you?

**Mr Wettlaufer:** I certainly do believe it.

They also believe this budget was one that presented a bold plan for our government to keep its commitments to quality health care, quality education and a clean environment.

I think we need to look at what the budget did for small business. Small business, as we know, accounts for 61% of all new jobs created. We know as well that between 1995 and now, 893,000 net new jobs have been created in the province of Ontario. So the budget, in allowing small corporations and small businesses to continue to enjoy some profits and to pour some of those profits back into creating jobs, definitely was of benefit to small business.



Ontario employment is projected to increase between 1.5% and 2% this year. Most of that is because of small business and because of the opportunities we give small businesses to operate here in Ontario. In the last eight months, 70,000 net new jobs have been created. Yes, there were job losses between May and September last year. There were 22,000 job losses in that period, whereas now the economy has rebounded so strongly that 70,000 net new jobs were created. As economic growth continues, the pace of job creation will pick up.

I said we'd have between 1.5% and 2% growth in jobs this year. But next year all the experts tell us that job creation will register gains between 2.5% and 3%, because the economy will be getting stronger. New job opportunities will open up as firms continue to expand business operations in response to this province's competitive tax environment.

It's interesting to listen to the members of the opposition from time to time. They get up and say, "You're providing these great tax cuts to corporations that are making money." I've got news for you: making money is not a sin. Corporations that make money contribute to the health of this province. They contribute to jobs in this province, something the NDP never did understand, because they had a net loss of 10,000 jobs in the five-year period in which they were the government.

This government is cutting taxes; making strategic investments in education, innovation and infrastructure; modernizing financial regulations; reducing red tape; and eliminating other barriers to job growth.

Small and medium-sized enterprises have responded strongly to the improved tax, regulatory and general business climate. SMEs generated approximately 500,000 net new jobs in the 1996-2001 period. Business services and manufacturing led Ontario job growth over that period, with each sector adding about 210,000 jobs.

Ontario has a highly competitive and diverse manufacturing sector. It created 209,000 jobs in that period, more than any other province, more than any other state in the United States. During the global economic slowdown last year, Ontario's manufacturing employment slipped slightly, in contrast to continued sharp declines in the United States. So far this year, the manufacturing sector has contributed greatly to the resurgence in Ontario job growth, while US manufacturing employment has fallen further.

So when you hear the critics stand up and say, "Our growth is dependent on American growth and the American economy is rebounding, therefore ours is too," I can only point to those numbers. How come their job growth is slipping when ours is growing?

Low interest rates—

**Interjection:** Paul Martin.

**Mr Wettlaufer:** Paul Martin is responsible for the federal economy and the federal economy is only going based on what Ontario does. Ontario has been the engine of growth for this country forever. What happened when Ontario growth slipped between 1990 and 1995? The whole Canadian economy's bubble burst.

**Interjection:** And guess who was in government?

**Mr Wettlaufer:** And guess who was in government, yes. It wasn't us between 1990 and 1995.

Low interest rates support growth as well. What happens with low interest rates? What causes them? With more and more government debt, there is more and more demand placed on a limited supply of money in the world. Whether it's government borrowing the money or someone else, it drives the interest rates up. As government debt and deficits go down, there is less demand placed on the money worldwide, and that brings down interest rates.

The recent strength of our economy prompted the Bank of Canada to raise interest rates one quarter of a percentage point in mid-April and again this month, and yes, interest rates are expected to increase gradually through the rest of the year and again into next year. But that is only further evidence of firmer economic growth. The economy is healthy. Ontario's policies have worked, Ontario's policies will continue to work, and my time has run out. Thank you, Speaker.

**Mr Bruce Crozier (Essex):** I'm not pleased today to be standing here speaking to a motion of closure, of limiting debate. My colleague from Nickel Belt no doubt will mention, as she has said on numerous occasions, "It must be Wednesday because we're debating a closure motion." I give credit to her for that observation that she has made so many times.

But I am concerned that we're standing here speaking on a closure motion that involves the budget. There are few bills that are as important as the budget. That would lead one to believe that we should be given every opportunity to speak to that budget, yet today is going to be the last opportunity for debate.

This Legislature came back late. We came back in mid-May. The budget was late, and here we are, one day away from the end of the session and this government is bringing in closure on what should be, and is, a very important bill. Along with this is a great deal of confusion. The budget and the comments made by the government, the comments made since the budget was presented, have created a great deal of confusion.

Yesterday Premier Eves suggested and hinted at the possibility of reinstating tax cuts come the fall economic statement if the economy continues to rebound. But today the Minister of Finance has downplayed such an occurrence, stating that she was confident her financial forecasting was prudent. So we don't know whether there are going to be tax cuts, whether they are going to be reinstated, whether they are going to be brought back early or whether in fact we're going to get them at all.

1620

I recall some comments made after the September 11 event. The Premier at that time, Premier Harris, said that because of the September 11 events they must proceed more quickly with the tax cuts, and in fact did so. Then we get a budget this spring that says it's because of the September 11 events that we can't proceed with the tax cuts. Whether you're in favour of tax cuts or whether you're in favour of taking that revenue and putting it into

health care, education and the environment is not the issue I'm discussing this afternoon. What I'm discussing is the inability of this government to decide what the reason is for their actions, and that's what's confusing the people of Ontario.

If we go back to those months following September 11, the government's own forecasts and economic outlook would contradict what the Premier and the minister are saying today. Not only was the provincial budget balanced in the fiscal year 2001-02, but Ontario will benefit from about a \$1-billion increase in forecast revenues from higher than expected economic growth in the current fiscal year.

The economic data are fully at odds with the minister's statement that September 11 was the reason for Ontario's economic slowdown and the budget's postponement of tax cuts. Where is the post-September 11 slowdown the minister is alleging occurred? We haven't been able to find it, given that Canada averaged at least 4% growth in the last half of fiscal 2001-02.

Members on the government side will get up and speak about trust, that the citizens of Ontario should have trust in this government. We're going to be dealing with estimates in the not-too-distant future, in the next few weeks and months, that are \$3 billion different from the budget. So we still have two sets of books.

Then, when you speak of trust, there was a bill that was passed not a long time ago called the Taxpayer Protection Act. Frankly, it's not worth the paper it's written on.

**Mr Dave Levac (Brant):** Why?

**Mr Crozier:** Because this government felt there shouldn't be any change in tax rates, any increase in tax rates or any delay in tax cuts unless it was taken to the people in a referendum.

**Mr Levac:** And they're not doing that.

**Mr Crozier:** And they're not going to. They're going to scrap the Taxpayer Protection Act. Well, some protection. There again, how can you trust a government that stood firm on the ground that, "We're going to protect the taxpayers and we're not going to change those tax cut rates unless we come back to you and ask your permission?"

Do you know what the Premier said? He said, "We don't have to do that because we know how the people feel." That isn't the point. I don't know how the Premier knows how the people feel; all I know is that they gave their solemn oath that they wouldn't change those tax rates without going to the people, and they're not going to do it. So, trust? I don't know how we could have any trust in a government where the Premier says one day, "We may do something," and the finance minister the next day disallows it; where a former Premier and all those who sit on the government side said, "Our solemn oath is that we won't touch those tax rates without going to the people."

**Mr Levac:** Who was the finance minister?

**Mr Crozier:** A good question. My friend from Brant says, "Who was the finance minister?" None other than the current Premier, Ernie Eves.

Ernie said a couple of years ago, "You have my solemn oath." Today he says, "Well, maybe that wasn't a solemn oath. Maybe we'll just rip up that Taxpayer Protection Act."

You know, this budget is all about trust. There are critics of the budget; there are people who are in favour of the budget. But it's all about trust. Yet we have no idea what direction the government is going to go next week. All we know is that they're limiting debate on this budget because they want to get out of here tomorrow, when we started a month and a half late, when there's no reason why they couldn't have brought forward the motion that's already on the order paper that we sit for two weeks into July and have the opportunity to fully discuss these issues.

So whether you want to go at the bare figures of the budget, the statistics that are in the budget, or whether you're in favour of it or whether you're opposed to it, it does come down to a question of trust, I agree. I don't know how the government can ask me, as a representative from the riding of Essex, or ask my constituents to trust a government that makes a solemn oath at one point and then says, "It doesn't matter. We don't have to follow it. We're going to change it." That's not trust. That's absolutely mismanagement.

**Ms Shelley Martel (Nickel Belt):** It's a pleasure for me to participate in the debate. The member for Essex when he started, said, "On Wednesdays I have been reminding people that if it's Wednesday, it must be time allocation day." I wasn't going to say that today because the member for Sault Ste Marie is going to say it for me when he gets up and speaks. He and I share House duty on Wednesday and we know that this is very true.

I regret that the government is yet again, on a Wednesday, moving time allocation to a bill that provides some very significant changes to a number of pieces of legislation. I feel very strongly that there should be appropriate and adequate debate for that. We're not talking about a single small bill; we're talking about a bill that has changes that are incorporated as schedules—amendments, essentially—to a number of pieces of legislation, most importantly, I suspect, to the Taxpayer Protection Act, which will allow the government to do something which would otherwise be illegal, and that is for the government to defer tax cuts that were incorporated in a budget bill that we passed only last fall.

There are two schedules that I want to focus on in the time that I'm going to speak. They include schedule M, the amendments to the Tobacco Tax Act, and schedule L, the amendment to the Taxpayer Protection Act.

If you look at schedule M, that is the amendment that essentially allows this government to raise tobacco taxes by \$5 a carton. I want to focus on this because I didn't have a chance to do that in the budget debate last week and as health critic I think it's important that I put some points on the record in this regard.

The issue of raising tobacco taxes should be a health issue. I think it is absolutely imperative that it be a health issue. What is clear from the budget document that was



released by the government is that this is not a health issue at all. Purely and simply, it's a money grab—\$460 million worth of a money grab.

I agree with the government raising the tobacco tax. I want to put that on the record. But what I find most regrettable is that the government had an opportunity to view this as a health issue and the government has not. The government had an opportunity, for example, to say that the \$460 million in revenue that's going to be raised by that increase of \$5 on a carton is money that should go into a designated fund that will be used for smoking cessation programs and to encourage young people not to start smoking.

What is interesting—because I have looked at the budget document, I have looked at the budget that was read by the Minister of Finance, and nowhere in those two documents is there any reference whatsoever to the government now moving forward and establishing a designated fund so that the \$460 million that will be raised through increased tobacco taxes would in fact be used to help people quit smoking.

1630

I have waited as well since the budget for the Minister of Health to stand in his place and say that clearly the government sees smoking as a very serious health issue, sees the deaths caused by smoking in Ontario as a serious health issue, and that the government is prepared to use some of that money it's going to raise from tobacco to try and deal with that serious health issue. To date, the Minister of Health has said nothing. Maybe he will stand in his place tomorrow, the last day that this House sits this session, and say something significant about this important issue. I suspect he will not, so I want to use some of the time I have to indicate the problem that we've got in this province and what the government could do with that \$460 million if the government really wanted to deal with tobacco as a serious health issue.

It's worth noting that even with the increase in tobacco of \$5 a carton that was announced in the budget, even with that, Ontario remains one of the lowest-price-per-carton jurisdictions in North America. We remain lower than most states in the United States, including Michigan, New York, Minnesota, Washington and Vermont. The fact remains that even with the change announced in the budget, we in Ontario will still continue to have the cheapest cigarettes in Canada. I think that is regrettable.

I say that because I do believe it is a serious health issue, and because the government itself has in its possession a report that was done for the former Minister of Health, Minister Witmer, that was completed in February 1999. It was a report to the Minister of Health from her Expert Panel on the Renewal of the Ontario Tobacco Strategy. Let me just give you an idea of the people who were involved in doing some very important work for the Minister of Health on the tobacco issue. They included Mary Jane Ashley, MD, chair, professor at the department of public health sciences, University of Toronto; Ted Boadway, MD, executive director, health

policy, Ontario Medical Association; Roy Cameron, PhD, professor, department of health studies and gerontology, University of Waterloo; Josie d'Avernas, MSC, senior consultant, program training and consultation centre; Roberta Ferrence, PhD, director, Ontario Tobacco Research Unit; Andrew Pipe, MD, medical director, smoking cessation clinic, University of Ottawa Heart Institute; Dr Richard Schabas, head, division of preventive oncology, Cancer Care Ontario. Now he has moved on to something else. That was his position at the time that he was involved in this panel. Finally, Penny Thomsen, BPE, executive director, Canadian Cancer Society, Ontario division—some very articulate, experienced, knowledgeable people who did some excellent work for the former Minister of Health.

They, in their excellent work, did a number of things. I'll read parts of the executive summary because I think it so clearly shows the health problem that we have in this province now with respect to tobacco and gives members some idea of the recommendations that were made. The only recommendation the Ontario government has implemented is the increase in the cost of cartons of cigarettes. That's the only one that this government has now implemented, despite this being put forward to the minister in February 1999. But let us understand clearly the impact of tobacco. The executive summary says a couple of things.

"Each year, tobacco kills 12,000 Ontarians. Each year, treatment of diseases caused by tobacco requires more than one million hospital days and costs the health care system more than \$1.1 billion. Each year, tobacco costs the Ontario economy another \$2.6 billion in lost productivity. Lung cancer now exceeds breast cancer as the number one cancer killer in women. In short, the adverse impact of tobacco on the health of Ontarians and the economy of the province is nothing less than disastrous.

"Tobacco control in Ontario is failing. Almost none of Ontario's tobacco control objectives have been or will have been met by their target dates. Smoking rates among adolescents are now much higher than they were in the early 1990s. Smoking among adults has not decreased. Many Ontarians continue to be exposed to second-hand smoke at work and in public places.

"This year"—that's in 1999, and I thought this was particularly significant—"the budget of the Ontario Ministry of Health for tobacco control is less than 25% of the allocation at the height of the Ontario tobacco strategy in 1994-1995"—less than 25% of the allocation that was made by our government to the Ontario tobacco strategy in 1994-95. "This is equivalent to approximately 36 cents per capita, about 5% of the amount needed to mount an effective control program. The provincial media campaign, a critical program element focusing on youth, was eliminated in 1995." Guess under which government. "Taxes have not been restored since the 1994 federal and provincial cuts, and cigarettes are now cheaper in Ontario than in any other province or adjacent US state." That was the case up until the government announcement several weeks ago in the budget. "Existing provincial

legislation fails to protect workers from second-hand smoke. No new control measures have been introduced in the last four years." Those were four years under the Conservative government.

"The effective control of tobacco is not only possible, it is an essential component of health care reform. It will save lives and prevent sickness and disability. It can produce major cost savings for both the health care system and the provincial economy. Tobacco is also an issue about which Ontarians have made up their minds." I think the member from Waterloo made that clear when he referenced the polling results with respect to this new tax. "There is strong support across the population for action on tobacco.

"We recommend that the government of Ontario take action on tobacco prices, public education, marketing including packaging, labelling and information disclosure, retail controls, smoke-free spaces, supports for smoking cessation, finance and infrastructure, research, monitoring and evaluation, and cost recovery litigation. Action is needed in all of these areas if the tobacco disaster is to be abated. Piecemeal measures, based on ease of implementation, low cost, or other considerations, will not work." I point out that the effect of what the government did was exactly that: a piecemeal measure based on ease of implementation. It's not going to work to deal with what is a very serious health issue.

When you look at the recommendations in this February 1999 report, and there are 29 of them, the only one it appears this government has acted on was the first one, which was to raise and maintain tobacco prices to make them at least comparable to surrounding jurisdictions. The reality is the government didn't even go that far, because in actual fact, even with the increase in the budget, Ontario remains the lowest-priced jurisdiction in Canada. That was the only recommendation this government has implemented of the 29 made to it by the expert panel—work, I remind you, that was requested by the Minister of Health. This is not a group of special interests, as the government likes to target people who take exception to what they are or are not doing. This is a group of experts who, at the request of and upon recommendation from the Minister of Health, produced a very important report in February 1999, which in essence has not been acted upon, except for the recommendation to increase taxes.

The shame of it is that even with the increase in taxes, this government has not established a designated fund to ensure those increases in taxes, ie, that increased revenue of \$460 million, would go toward implementing some of these other very important, critical recommendations if we are to have a coherent, comprehensive strategy to deal with tobacco and the effects on health in this province.

**1640**

I say this as strongly as I can: I regret that the government has done nothing with respect to implementing a designated fund to ensure that the \$460 million deals with the recommendations that came forward in February 1999. The government is taking the easy approach, a

piecemeal measure, as was outlined in the executive summary, and it will do very little at all to convince people to stop smoking, to provide them with the supports to stop smoking, and will do very little to stop young people from starting to smoke. The net effect will be this continued disaster with respect to health care in Ontario: thousands more who will die, thousands more who will get cancer, a huge increase in health care costs, and this government doing nothing with respect to some very important work and recommendations made by experts on what could be done.

I call on the Minister of Health—I suspect he won't be getting to this tomorrow—to announce very publicly that all the revenue that will be generated, the \$460 million, will go to implementing the recommendations that came from the expert panel on the renewal of the Ontario tobacco strategy.

The second schedule I want to speak to is schedule L, the amendment to the Taxpayer Protection Act. Speaker, you will know that amendment will allow the introduction of a bill later in the fall of 2002 that will have the provision to defer future tax decreases, either under the Income Tax Act, the Corporations Tax Act or both for up to one year. It allows the government essentially to delay tax cuts this government previously announced without breaking the law, the government's own law; a law, I remind you, that was only passed by this House last fall.

In the budget of 2001, the government essentially outlined a schedule of tax cuts over a number of years. If you look on page 96 of the Ontario budget papers, you will see that they're listed under "General Corporate Income Tax Rate," the current tax rate at 14%, and then the proposed tax rates, the proposed schedules over four years for the cuts in income tax. There are also cuts related to tax rates on manufacturing, processing, mining etc.

What happened was that from this budget document the government then developed its budget bill, which we dealt with last fall, which essentially incorporated the schedule into law. That schedule makes it very clear that as of January 1, 2002, there would be a cut to 12.5%; as of January 1, 2003, a cut down to 11%; January 1, 2004, 9.5%; January 1, 2005, down to 8%.

What must be embarrassing for the government is that we are now in a position of having to amend a bill that we only passed last fall, that this government passed, the very bill that set in place this schedule for the corporate tax cuts. The government now finds itself in the position of having this amendment today—in effect enabling legislation—that will allow them to bring in legislation this fall to actually defer the tax cuts. I think that must be just a little bit embarrassing for this government to have to do that within a year of their Taxpayer Protection Act having been passed with such fanfare.

Probably the more important point is that the amendment we are dealing with today and the bill that will come in the fall that will defer that schedule of tax cuts outlined in the 2001 budget, defer the personal income tax cut, the private school tax credit and the corporate tax



cut, as far as I'm concerned are a clear admission that tax cuts don't work.

Our party has long been telling this government that it should be cancelling these tax cuts—not deferring them as they will do this fall in a bill that will come, but should cancel them altogether. Because we know that the money that goes out to corporations that are already profitable and to Ontarians who already make the highest income and to private school supporters who should not be getting public money to support private schools, is money that could be better spent on health, on education, on the environment and on community services.

The other important point is that by continuing with these tax cuts, the government actually increases the debt of the province, because they have to borrow to finance these tax cuts. So we have two problems: money that could be better directed to essential services going to people in corporations who need it the least, and this government increasing the debt of the province of Ontario in order to finance its tax-cut regime.

I heard the member from Waterloo go on at great length today about how important tax cuts are. The obvious question is, if tax cuts work, why is this government deferring its tax-cut regime? That's a simple question. Let me make my point clear. We think they should be cancelled altogether, so we're quite pleased that they at least have been deferred. But the obvious question is that if they are working so well, if they are so fabulous for the economy, why are you deferring those tax cuts for the next year? I continue to wait to hear the government's response.

If you go back and take a look at what the former Premier had to say about tax cuts, just after September 11 he said the following, and this was from a taped address that Premier Harris made on Monday night, October 1, to the people of Ontario: "While some people said we should not proceed with these tax cuts in light of recent events"—ie, September 11—"I believe they are now more important than ever," Harris said, adding that tax cuts were designed to help stimulate our economy, which lost more steam after the attacks.

The next day, Premier Harris, in a statement to the Legislature, said the following: "On January 1, 2002, we had planned to implement a number of additional tax cuts, including cuts to personal income taxes, capital taxes and corporate income taxes. There are some who have always opposed our tax cuts." That's me; I'm one of them. "Those same people say we should not proceed with these already announced planned tax cuts in light of recent events." That's me, too. "Once again, they are wrong. The members on this side of the House believe tax cuts are more important than ever before."

He went on to say, "We are proposing to accelerate these tax cuts, because we have enormous confidence in the people of this province. We are confident that their entrepreneurial spirit, their proven productivity, will take us through this short term to long-term gains in jobs and the quality of life."

So I ask the government again, why, if the tax cuts are so fabulous, are you deferring them?

Here's a quote from the then Finance Minister, Jim Flaherty, on November 6, 2001. This is when he presented the 2001 Ontario Economic Outlook and Fiscal Review to the Legislature. Page 5: "Some people would argue that in times like these we should not move forward with our tax cuts; others would even advocate raising taxes. But we believe that sticking to our tax-cutting plan is more important than ever. Low taxes attract business. More business means more jobs and higher government revenues."

That's what Jim Flaherty had to say last November. Here we are, just a few short months later, and this same government, with some of those same players, maybe in different positions but still around, have now brought forward a budget that defers those tax cuts. I think that's a clear admission that tax cuts don't work.

I say to the government, if they were so wonderful in November, if they were so great that you even accelerated the schedule listed in the budget of 2001, why is it that you are now before us trying to defer the tax cuts which should go into effect January 1, 2003?

I said it last week and I'll say it again: I don't think you should defer the tax cuts; I think you should cancel them altogether. That has been our position; it will continue to be our position. The money that you want to blow in tax cuts is money that could be better used to finance health, education, the environment and community services, and it would also put you into a position where you don't have to borrow even more money and increase the provincial debt, which you have done by \$22 billion since you were elected. If you would cancel those tax cuts, then you wouldn't have to continue down the road of increasing the provincial debt by \$22 billion, which is what you've done since you were elected.

I will end now, because my colleague from Sault Ste Marie has some things to say as well later on.

1650

**M. Marcel Beaubien (Lambton-Kent-Middlesex):** C'est un honneur de prendre part à ce débat sur le budget cet après-midi, le projet de loi 109. C'est vraiment le quatrième budget consécutif que notre gouvernement a balancé.

There are so many things to say but so little time to say them. I will concentrate today basically on education. I know the member for Nickel Belt doesn't believe in, she's fundamentally opposed to, tax cuts. We're fundamentally in favour of tax cuts.

She talked about this government putting the province \$22 billion in debt—we did have a plan. I would strongly suggest that when they were in government for some 52 months, they put this province \$55 billion in debt. Now who's calling the kettle black here?

Let's talk about education. I'm glad to see the member for Don Valley East is here. Let me take you back prior to 1997, when the education formula was implemented. Why was it implemented? It's too bad the member for Kingston and the Islands, who was here just a couple of minutes ago, is not here. As the former mayor of Kingston—

**Interjection:** He's across the floor.

**Mr Beaubien:** Oh, he's here. I'm sure he'll appreciate this.

**Mr Levac:** He's right there.

**Mr Beaubien:** I know he's right there. I acknowledged that he's there. I'm glad to see it, because I'm sure he had the same concerns with his constituents when he was mayor as I had when I was mayor.

If we look at the old tax bills prior to 1997, they were three-part bills: we had a municipal portion, a county or upper-tier portion and an education portion. It was not uncommon to see many constituents come to your office or to the town hall and complain about their taxes being out of control. They were elevated; they were too high. They kept saying, "You've got to do something about it."

In some municipalities, the education portion was as high as 67% or 68% of the tax bill. I refer to a small community in my riding, namely Dawn township. The education portion of their tax bill was 68%. The municipality was choked. They couldn't spend money on infrastructure, they couldn't spend money on employees, they couldn't spend any money. This government came along because many people were saying, "Governments have got to rein in the cost of education."

We're now spending \$14.3 billion on education, and I keep hearing it's not enough. When we look at it, we're spending over \$7,000 per student. For the people who may be watching at home, do the math. If you have 23 students in your classroom, that's \$161,000 provided to educate the 23 students in your classroom.

**Mr Ted Chudleigh (Halton):** Where does that money go?

**Mr Beaubien:** I don't know. I ask the parents out there, is that enough money to educate 23 students? If we look at what the Christian schools are doing, they're educating their students at a cost between \$3,800 and \$4,200 per student.

As opposed to trying to gauge how much we're spending per student, maybe we should be looking at the output. I think that's why this government has introduced standard testing, a standard curriculum and testing of teachers, so there is accountability at the end of the day.

Let's look at why the funding formula is in place today. Is it the be-all and end-all of everything? Of course not. That's why this government has appointed Dr Mordechai Rozanski to assess the formula to see if it's adequate. Furthermore, I would ask the constituents in my riding, where many of the boards were spending an average of \$4,500 to \$5,000 per student and many other boards were spending almost twice that much, isn't it fair to expect that every student in Ontario would receive the same level of funding, whether you're in Kenora, Markham or Petrolia? I think every student in the province of Ontario deserves the same level of financial investment in the classroom.

**Mr Garry J. Guzzo (Ottawa West-Nepean):** What have they got against equality?

**Mr Beaubien:** What have you got against equality? What have you got against fairness? It's all about quality education, fairness and equity. That's what it's all about.

So you can say that there's not enough money in the system, but ask a question of yourself, and be honest with yourself. If you're spending \$161,000—without looking at the bricks and mortar, without the transportation costs, strictly for classroom education and administration—\$161,000 to educate 23 students, how many parents in your constituencies are going to tell you, "It's not enough"?

Do you know why I think they think it's enough? Because they don't want to pay any more taxes. How do I know that? Ask the former mayor from Kingston. He'll tell you that when he was mayor of that community he had many calls from many of his constituents concerned about the escalating and uncontrolled costs of education.

Did we have quality? Yes, I guess we had quality. Are there some problems in the system today? Yes, there are always going to be some problems. It's not a perfect system.

**Mr Joseph Cordiano (York South-Weston):** So what is it? You're speaking out of both sides of your mouth now.

**Mr Beaubien:** No, I think you are. You go this way and you go that way, and how far you go depends on the spring that controls you.

I keep hearing, "Oh, we're opposed to tax cuts." There's not enough money in the education system, but not once do we ever hear any of you guys or ladies mention an alternative to what we should be doing. It's against everything, but we're not for anything.

So what are you for? You talk about speaking out of both sides of your mouth. I think I would look at myself in the mirror when I say that.

Let's talk about health care briefly, because I have to share my time with another member. I think in your red book you said you were going to spend, if I recall, \$16.5 billion. We said, "No, we're going to spend \$17.5 billion" in 1995. Check the record. I think the figures are fairly accurate. Today, we're spending \$25.5 billion, and yet we hear that it's not enough money.

Again, I think we have to look at the output—

*Interjections.*

**The Acting Speaker:** Order. It's still daylight. I realize it's near a full moon, but grab a hold of yourselves, bring yourselves to order. There's one person allowed to speak at once. We'll go by that rule.

The Chair recognizes the member for Lambton-Kent-Middlesex.

**Mr Beaubien:** Thank you very much, Speaker. I realize that some of them are getting a little nervous and upset when they hear the truth and the facts, and sometimes it hurts.

But let's go back to health care. When we look at the initiative that this government has implemented in the past seven years, I'm proud of the initiative. Why do I say that? Because on March 21, our son Marc was involved in a very serious car accident. He had to use the health care system in this province. Let me tell you that I'm proud of the system; I'm proud of the people who look after him, the nurses, the doctors, the physio-



therapists, anybody who works with him. I'm proud of the system. If there's something wrong with our system, let me tell you that the Beaubien family for two months certainly did not experience that.

**Mr Ruprecht:** Today we're talking about the budget and we're talking about cutbacks in funding to certain programs that we would like to see reinstated.

Take, for instance, what happened in this House just a few hours ago. I had made mention that through the Ministry of Citizenship and through the Ministry of Education, the funding for ESL programs, English-as-a-second-language programs, was severely restricted and that over a five-year period of time, from 1997 until 2002, where we are today, we had a drop in funding and a reduction in people attending English-as-a-second-language programs by—guess what?—a whopping 31%; 31% fewer students attending English-as-a-second-language programs.

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There are parents; there are children; there are grandparents. What do they really want? Why do they want to attend English as a second language programs and classes? Why in Canada? It takes an effort to go to these classes in the evening or in the daytime, yet the demand is there. People want to go and learn English. This government, instead of adding funds and doing whatever it would take to facilitate the programs so that people would actually go and learn English, is doing the opposite.

It's shocking, it's shameful and it's stupid. It is absolutely stupid because when a person comes to Canada, the first thing he or she has to do is try to learn the language to communicate. He or she will have to learn English to try to get a job. Without English, you can't communicate. Without English, you can't get a job. Without English, you can't get ahead. Without English, you are losing communication with your children as well, because they're in English programs and you can't speak a word.

It is shocking from our point of view that we have a government that does not see the benefits of people speaking English. There are 668,000 persons in Ontario alone who are unable to speak English. Out of these 668,000, 110,000 are presently enrolled in English classes. Some of these classes have shut down. Why have they shut down? Because the province in the budget has decided to turn off the tap so that the money can no longer flow in that direction. You've taken your responsibility very lightly.

I've always said that the chickens will come back to roost. I've also always said that on the minister's shoulders is a grave responsibility to try to ensure that those who come from other countries to Canada have a good and equal opportunity. Is that relevant? Yes, it is. Because that's what we stand for on this side. If we ever take over the government, and that may be very soon, one of the first things we're going to do is try to ensure that there will be monies available, a funding formula available for those people who wish to learn and speak English. That would be a commitment.

Do you know why we would be doing that? We would open the doors for everybody. For those who cannot speak, who are unable to go, who don't have the money, who are downtrodden and poor and are unable to speak English, we would open the doors for them, open the windows for them, open the opportunities for them, because without English there can never be opportunity in this country.

The Minister of Citizenship got up today, and especially yesterday when he said, "You know what? This Ontario has great promise and great opportunity." Sure, it has great opportunity. He said a young man can follow his dream. Sure they can follow their dream. With what? Of course they can never follow their dream and they are thrown into the dustbin because they are unable to speak English.

How can anybody in the school system, if they don't speak English, possibly understand the curriculum? How can they possibly get ahead in life? How can they possibly get the job? How can they possibly communicate? Sure he had a dream, and sure that dream was reality. But you know what? He had all the breaks that the programs that were in place previously gave him. It gave him the opportunities that we today have the responsibility to maintain.

Those opportunities, first and foremost, are the ability and the open-door policy of the government for a person to be able to speak English and try to get ahead if they want to. Whether that program consists of English on a basic level, whether that program is attended in the basement of a church or in a school or in a community hall, it is incumbent upon us as legislators to make that program available. It is a shame and a crime, I think, that we shut out these people from learning English, because when we do that, when we shut them out, when we close the doors, when we close the windows, we close the opportunity to become great Canadians and to participate in the economic future of this country. That is our very grave responsibility.

*Applause.*

**Mr Tony Ruprecht (Davenport):** Thank you. I understand this. But the grave responsibility is for you to open up, and you still have the chance. You still have one more year. I say to the Minister of Citizenship and to the Premier, Ernie Eves, open up your books and change your budget. Don't cut off the funding for these people. They have no classrooms; they have no house; they have no home. They can't go outside like in Africa, you know. In Africa they've got classrooms outside. We can't do that here. It's colder. They are unable to do it. So it's very important that we present these programs. As I've always said, if we are unable to do it, then we don't deserve our jobs as legislators.

The numbers are clear, and everyone agreed at that press conference today. They were all there. Do you know who was really supporting us at the press conference today? A coalition of organizations right across Ontario. Here they are: the Chinese-Canadian National Council—"Yes, we need these programs"; the Urban

Alliance on Race Relations—"Yes, we need these programs"; the Canadian Centre for Victims of Torture—"Yes, we want these programs"; the Centre for Social Justice—"Yes, we want these programs." Why social justice? Because this is a justice issue. This is simply justice, because the opportunities are there and we have to take them. The opportunities are very clear.

In closing, I am unable to tell you all the other organizations, but let me simply say this. You have the responsibility; open the doors. We need the ESL programs. We need the schools. We want the opportunity.

**Mr Beaubien:** On a point of order, Mr Speaker: I would like to recognize Maria Texiera. Maria has worked at Queen's Park for 21 years on the maintenance staff and she is retiring on Friday. Congratulations on your retirement.

**The Acting Speaker:** Maria, we understand that you had a birthday very recently and that your last day is tomorrow. We wish you ever so well in the future and we thank you ever so much for your past services.

**Mr Ruprecht:** Mr Speaker, on a point of order: Maria had the great distinction actually to get to know us on our side of the Legislature. We were always very happy with her services. Here is a person who went beyond the call of duty. That's the kind of Canadians we need. Congratulations to Maria Texiera. And over there are more of our persons who work here. They also deserve to be recognized when their day comes, because they too go beyond the call of duty to make sure we have a clean place—we have a clean Canada, a clean Toronto and a clean Legislature.

**The Acting Speaker:** Further debate? The Chair recognizes the member for Sault Ste Marie.

**Mr Tony Martin (Sault Ste Marie):** Before I start, I'm just wondering whose time was running down there while all this—

*Interjection.*

**Mr Martin:** OK. I also want to say that we in this caucus appreciate the work and effort and friendliness of Maria, who is retiring today, and we wish her well into her future and her retirement.

I want to start off by reflecting on the comments of the member from Lambton-Kent-Middlesex, who so eloquently a few minutes ago said, as he got up to speak, "So much to say and so little time," and to say to him that if he wasn't ramming this bill through, as he does so often in this place, we'd have lots of time, because we do have lots to say on the business they bring before this House. Yet it seems to me that, as my colleague from Nickel Belt said a few minutes ago, it's Wednesday, so it must be a time allocation motion, or the converse: it's a time allocation motion, so it must be Wednesday. Every week we come here we are constricted to very, very little time to speak on very, very important matters that affect the public life of this province. It's unfortunate.

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Today we speak, by way of a time allocation motion, to the budget bill, a bill that for many of us here and across the province, if you speak to people out there, is a

sign, the actual first real sign, that this government is losing their nerve, that this government is losing their resolve to solve absolutely every problem that confronts us as a community of people by simply introducing ever-increasing tax breaks, giving more money to those who already have it at the expense of those who need the services we provide as a government, and have become very proud of the record we've established over the years in delivering those services. This budget that was delivered and this bill before us today that speaks to the elements of that budget are a very clear backing away by this government from its agenda of tax breaks to cure everything.

However, there are still some troubling initiatives in the bill that I'm sure most people in this place and across on this side of the floor will speak to; for example, the selling off of half of Ontario Hydro. If you don't have revenue coming in—and the government is beginning to recognize that if you keep giving it away, you won't have the money to spend on the programs—you've got to get it someplace else. So this budget speaks very clearly to selling off what we refer to in our caucus as the family silverware, the family jewels, that which is there to take us through the thick and the thin and into the future, vehicles of government that produce significant and healthy revenue for government that this government feels—and they haven't been able to rationalize, certainly to us in this caucus anyway, why they would want to do that or need to sell off public assets.

We noted in the last budget the government brought down, in their effort to buy an election, that they sold off Highway 407. Now they're proposing to sell off half of Ontario Hydro. Not only that, but in this budget bill we're looking at here today, they're proposing to sell off the Province of Ontario Savings Office, which provides for this government a vehicle of some significant income.

The Conservatives are selling off the family silverware in the form of our public hydro system to give the appearance of a balanced budget. The budget is a repeat of 1999, when the Conservatives sold off Highway 407 and used the proceeds as an election slush fund. The same thing will happen with the sale of Hydro One and the generating assets of Ontario Power Generation and the sale of the Province of Ontario Savings Office.

The Conservatives are also opening the door even wider to private-driven health care by allowing the private sector to participate in a review of health care spending and by encouraging more private diagnostic clinics.

The budget also fails to deliver any new ideas to help revive urban Ontario.

There is little new money for education, meaning schools will continue to crumble.

There is no investment in regulated child care, affordable housing or an increase in the minimum wage.

Most important in all of this is the sense we're getting from government that they're unsure of their positioning—and it's not just on the tax breaks, although that's the most obvious and clear example.

I referred to the government last night, on a couple of occasions when I got to intervene after people spoke, as,



by way of analogy, a duck in a thunderstorm—flashes of lightning scaring the heck out of them; not knowing where to go and not knowing what's going on or what to do to gain some sense of stability and safety.

When we look at the question of Hydro, one minute they're selling it off, the next minute they're not selling it off. Then the next time we look they're selling off half of it and then we're not sure whether in fact they are going to do that or not. From one day to the next, we're never sure in this House what the response is going to be to the questions we ask, what their position is on the question of Ontario Hydro. One minute they're listening to the polls that are telling them that over 70% of the people of Ontario say, "Don't sell it off. It doesn't make any sense"; the next day, of course, they hear from their friends on Bay Street who say, "Don't stop. That's an important economic initiative for us. It will generate all kinds of profits for us. You've got to sell it off. You've got to move on that front." So from one day to the next they are very much like a duck in a thunderstorm.

On the issue of the budget, which I just spoke of a few minutes ago, last year, as the member for Nickel Belt said, the then finance minister and the then Premier said that they had to go ahead with tax breaks, that tax breaks were the be-all and the end-all, the answer to everything. Then you have the Minister of Finance coming in with the budget that we have now, saying, "We have a problem and maybe tax cuts aren't the answer we thought they were, so we're putting them off." And then only yesterday, driving to the House here in a car, I heard on the radio that the Premier was again musing—he probably had a phone call from Bay Street telling him, "Hey, you can't back off on the tax breaks." He probably read the *Toronto Sun*, which has been castigating the government for the last few days for backing away from their tax break agenda, and again they are having second thoughts, like a duck in a thunderstorm.

On the issue of disabilities, I brought a bill forward here a week or so ago asking the government to give a group of people in this province who haven't had an increase for over seven years, a group in this province who are living in some very difficult circumstances through no fault of their own—they are disabled. They got hurt on the job, they were born with a disability, the variety of ways that people get disabilities in this province. They were looking for a little bit of reprieve, knowing that this province has been through some six or seven good economic years and thinking that maybe it might be their turn to get a little bit of that flowing their way so they might be able to look after their needs and pay the bills. And what does the government say? No. Thirty eight of their members stood up and voted against an increase for the disabled in this province.

Then a couple of days later we have the minister, obviously responding to the backlash from that vote, saying, "Maybe we'll review it." I got up in the House the day after that and asked the minister if in fact she was going to review and got no answer, got the same diatribe we get every time we talk to this government about the

plight of the poor in this province: they blame it on us, talk about our record, as opposed to the fact that they have been government now for seven years and have had that responsibility. It's a very real and important responsibility and you're not doing anything about it—nothing.

**Mr Ernie Hardeman (Oxford):** We've still done more than you did.

**Mr Martin:** No, you didn't. You didn't do a damn thing more than we did. You took 22% away from the poorest and most vulnerable in our province with one stroke of a pen, and you took the disabled and moved them out of the welfare package, only to make life more difficult for them. The biggest issue for the disabled in this province right now is the fact that they can't access the program. You've made the bar so high that they don't qualify any more. That's what you've done to the disabled. They came here the other day in great numbers asking you to give them a paltry increase of some maybe 2% or 3% in their income, and what did you say? "No, sorry. We don't have it. We can't afford it. We have to give tax breaks to our wealthy friends and benefactors. We can't afford to give you an increase."

So this government obviously has lost its way. The signs that their program isn't working are all around us: the poverty gap, homelessness, people on the street, the shrinking economy in rural and northern Ontario. The drop in population in northern Ontario indicates that we have a problem. The system is beginning to fray at the edges, and it won't be long before that fraying begins to touch the heart of the economy and the industrial centre of this province, Toronto itself. It already is where poverty is concerned.

We have turmoil in our education and health care systems. We have turmoil in the environment. We have case after case before this House of difficulties with energy and the environment.

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What the people want is a government with resolve, and not only with resolve but with bright ideas and strong leadership, a party that knows what it stands for, is committed to what it stands for and has a plan. That party is the New Democratic Party in this Legislature. We have an urban vision, we have a northern economic development recovery plan and we know what to do about poverty. We would raise the minimum wage, we would invest in child care, we would stop the clawback, that shameful clawback, of the child tax benefit supplement and we would give people with disabilities a raise. That would make this province a better place for everybody to live in.

**The Acting Speaker:** The member's time has expired. I will be adding approximately 61 seconds to the next speaker's time, by my watch. If there's somebody who has any problem with it, write it out on a little piece of paper in 18-point print, give it to me and I'll try to give it to somebody who cares.

The Chair recognizes the member for Northumberland.

**Mr Doug Galt (Northumberland):** Thank you very much, Mr Speaker—

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker.

**The Acting Speaker:** Through no fault of his own.

**Mr Duncan:** It was his own member who did it.

**The Acting Speaker:** There are two of us standing. One of us is out of order and it is not me. I will explain that it was not his caucus that caused that delay.

**Mr Duncan:** It was Marcel.

**The Acting Speaker:** No, it wasn't. It was Ruprecht.

**Mr Galt:** Thank you very much, Mr Speaker, for acknowledging that extra minute there, 61.5 seconds; it's very much appreciated.

I appreciate the opportunity to speak on the time allocation motion. I heard some of the members in the opposition speaking about closure. If there weren't so much opposition and resistance and if there was a little co-operation—I've had a private member's bill here, Bill 33. It's about outriders, particularly in the back of pickup trucks. Lo and behold, the member for Niagara Centre, the House leader of the NDP, consistently objects and blocks this particular bill, a bill that could save lives—lives after lives—and there's no consideration being given to that whatsoever.

I thought the member for Nickel Belt had one good question she was posing. It was, why weren't the tax cuts being continued and brought in? She had so many things. I was confused some of the time about where she was coming from with tax cuts now or later; she was for them and then she was against them. She was opposed to the government because the debt increased after they left, even though they were running an \$11-billion deficit and then she was supportive. Then she talked about stimulating the economy and then she was opposed to it.

The one that I thought did make sense was when she was questioning why, when tax cuts stimulate the economy, we wouldn't be bringing them in. There is a bit of a time delay for that stimulation and there is a problem with revenues, so having a bit of a delay makes sense. I think the commitment that they're going to continue the tax cuts in a year's time, and possibly sooner, is the right direction to go.

I'd like to draw a little bit of a comparison with what was going on with that severe recession we went through in the early 1990s, compared to the minor recent downturn in the economy that we experienced. Part of that was stimulated by the Liberal spend and tax and borrow that was going on in the late 1980s, and part of it had to do with how the NDP government came in and what they were going to do. We were first into that severe recession, we went the deepest and we stayed down there the longest.

Compared to other provinces, compared to the US, what happened in the recent downturn? We were the last to go in, we went down the least amount and we came out the soonest. That's the difference in the kinds of policies we had back in the early 1990s, during that lost decade of the Liberal and the NDP governments. That

was what happened with those policies. Our change in policy, stimulating the economy with tax cuts, has made all the difference in the world.

I think it's quite a compliment to our present Premier, the then Minister of Finance, Ernie Eves, that he was making these tax cuts and, lo and behold, the federal Liberal government laughed at us, but then Paul Martin, understanding this kind of thing as the federal Minister of Finance, brought in tax cuts and started to recognize the importance of what they were doing for our country.

I would challenge the opposition to give me one solid economic policy the federal government brought in, other than cutting the transfer payments to the provinces. The biggest one had to do with health care. It was indeed very unfortunate that they decided to cut there. We would be in such a great position if they would just return to the 18% level of transfer payments for the cost of health care, the level of the Brian Mulroney government. But the Chrétien government chopped that and down it went. It's been pretty tough for Ontario. In dollars we're almost back to where we were when we took office in 1995 in transfers coming to the province. Of course, the percentage is way down, and we've increased spending for health care alone by \$8 billion.

**Mr Hardeman:** That's a lot of money.

**Mr Galt:** That is a lot of money. That's almost an increase of \$1,000 for every man, woman and child. We've increased spending in health care by about \$800 for every man, woman and child in Ontario, all because the federal Liberals are not stepping up to the plate, when they committed 50% to health care funding.

The thrill I had when the Minister of Finance, Janet Ecker, stepped up to the microphone and said, "The budget is balanced. This will be the fourth balanced budget in Ontario." We were saying with three balanced budgets that that was a first in close to 100 years, so I suspect this is a record since Confederation. I don't have proof of that at this time, but I expect that is in fact true. To have four balanced budgets in a row is indeed a credit to our present Minister of Finance and our previous two, particularly the Honourable Ernie Eves, who set us in motion for this kind of thing to happen. It was a great budget, an excellent budget for 2002, Growth and Prosperity: Keeping the Promise.

As I mentioned about the balanced budget, to date we have paid off \$4.2 billion of the debt that has accumulated, most of which was accumulated during that lost decade. Even in the last year with the downturn, we were able to put \$127 million toward that particular debt. We didn't expect the growth we had for some years in excess of 5% to continue forever, but certainly it was growth that was stimulated as a result of the policies of this province, and certainly they have stimulated the economy tremendously.

I mentioned earlier about the transfer payments. What has been going on with this reduction in transfer payments from the federal government is that the feds have been cheating the provinces on what was promised to them some 30 years ago. They committed to that kind of



health care spending. They've just not stayed at the plate and haven't been doing their job. What they have been doing is overtaking on things like the employment insurance program, penalizing the provinces. As a result, it's tough to create jobs when they are doing that kind of thing. That kind of payroll tax is very tough on jobs.

I see my time is running out. I just want to wind up by complimenting the Honourable Janet Ecker on doing a great job, and also our Premier, the Honourable Ernie Eves, for the support and what he has been doing with balanced budgets in the past.

**Mr Levac:** I want to thank my whip this evening for providing me with a few minutes to make a few comments about the budget.

I want to start by saying something the government did that I support. I think it's a great idea for our environment, my riding and the people for whom I've been fighting for the last six months regarding the tax credit for biodiesel. I think it's a great thing to do. It's an intelligent opportunity for us to improve our health and our environment, and actions that can be taken. So thank you very much for that.

I would also like to point out that in public safety and security, the government will create a firefighters' memorial here at Queen's Park, again something I've been asking three ministers to do. Somebody else came up with the idea on that side. It doesn't matter who did. The fact is that the government is doing it, so thank you for that. But except public safety and security, that we're supposed to be spending more money on since September 11, the government has refused to listen to the idea Dalton McGuinty proposed, the \$100-million Ontario security fund. They've cut the budget by \$70 million. Shame on you for cutting a budget and telling us you're going to be able to provide safety and security at the same time.

The members on that side talk about education and the money spent on special ed. They don't have a clue what they've done to the ISA grants. They don't even know what they are. They are taking educational assistants away from kids who need this special help. They raised the bar. They almost have to be on a gurney in order to get an EA now. Shame on you for doing that.

The biggest thing I want to end on—my time is up, because I only asked for a couple of minutes—is shame on all of you for coming up with all kinds of statistics from 1995 to now, when you can't give a senior citizen a shower a day. You're telling us you can't give our senior citizens, the people who built this country, a shower a day. Shame on you.

1730

**Mr Cordiano:** I'm delighted to speak on this budget, because it truly demonstrates what an incredible betrayal this government—this leadership we see under Ernie Eves, the new Premier—has perpetrated. What an incredible betrayal of the loyal supporters of this government: a complete reversal, denying everything this government has done for the past seven years under the

premiership of Mike Harris. I call it a deathbed repentance: completely reversing itself, denying what it stood for and trying to change the direction it's going in. Why? Because that direction is no longer popular with the public. They can no longer sell the bill of goods they've been selling for two election campaigns. The Common Sense Revolution, they want to believe, is dead.

Well, I say to the members opposite, I don't think it's going to work. It's a betrayal of the faithful who supported this government, the neo-con core who supported this government. They knew that this government stood for something. Under the premiership of Mike Harris, you at least knew where Mike Harris stood. I didn't support it; I disagreed with it. But I'll tell you it was straightforward and it was clear and you knew where they were coming from. You knew where Mike Harris was coming from. Again, I say I didn't support it, and I debated in this House at every turn when the government brought forward its agenda. But it was clear.

What you have now under this Premier is great uncertainty. What direction is he going in? What does he stand for? What do they believe in? They don't even know themselves. I don't recall which member it was who referred to the amount of money spent per pupil on education and saying, "There's more than enough money being spent on education—more than enough money. Just look at how much is being spent per pupil in each classroom." If you add up the number of kids in a class, I think he cited somewhere in the neighbourhood of \$160,000 in one classroom of 22 children.

Then he fails to realize that his Premier has put, he suggests, more than \$340 million additional in this budget for education. I would add, of course, that this government has been cutting the education budget for years. Now this member stands up and says there's more than enough money. The Premier and his cabinet have the backbenchers in this government so confused that they don't know what rhetoric to use any more. Is it more spending for education or are there enough dollars in education?

So his backbench is arguing that there's plenty of money in education; it's just not being spent properly. Yet the cabinet has suggested that they've put more money into education. From our point of view, they cut education far too severely in the past and they should be putting even more money in. It's not adequate at all.

I want to talk about the thing that I think is just obscene when it comes to this government. I want to talk about CCACs and home care. It's shocking, and I've brought this up and so have my colleagues in the opposition, time and again. It is shocking, what's happening to our seniors across this province. I've literally had hundreds of people come to my office to talk about the deplorable state that exists in long-term-care facilities and with regard to home care. The underfunding is so severe now. In North York, for example, the CCAC was facing a \$10-million shortfall, which meant they had to cut the number of hours that seniors were receiving in

terms of home care in half. Is it any wonder that the Associate Minister of Health and Long-Term Care stands up and says, "Everything's fine folks, and if somebody's breaking the law, we're going to go after them." He doesn't realize that there isn't enough funding. Maybe he should start going out there and trying to help those seniors. Maybe he should do it first-hand and see what's at stake here. The fact that they're not getting baths often enough is a reality. We're not making this stuff up. It's happening across this province. These seniors have the right to live with some sort of dignity. We need to provide that for them. This government has failed them miserably.

I want to talk about infrastructure and I want to talk about the fact that this government wants to tout its SuperBuild, the greatest thing that has ever happened to Ontario, according to this government. They want to spend \$20 billion, they say, over the next five years. The fact of the matter is, when we were the government in the 1980s—and I made this reference in a speech that I gave earlier in the year—we spent at least 2% more in terms of the budget on capital than this government is now spending under SuperBuild. It was a significant amount of money additional to what this government is claiming it's going to spend under SuperBuild.

The fact is that this government is also relying on private sector funding to top up the funds that are being offered by this government in this budget. The \$10 billion that is being provided by the province is supposed to be matched by the private sector. Guess what? It isn't happening. All the information we have suggests that the private sector isn't stepping up to the plate, that in fact it's the federal government that is stepping up to the plate and flowing funds to make up for the lack of private sector funding. It's the federal government that is doing just that. Most of these projects involve the municipalities as well, and they are putting up their share of the funding. So there's very little private sector money going into SuperBuild at the present time. It's a small fraction of what they had expected. So SuperBuild is simply not working, not meeting the expectations.

As well, I would suggest to the government that there are no audited financial statements. As I pointed out earlier this week in a question that I asked the Deputy Premier, this government has broken the law when it comes to providing and tabling audited financial statements for SuperBuild. It failed to do that under the Development Corporations Act. It is a requirement under that act that this government table those audited financial statements so that the public can be protected, so that we know in fact what the government is spending.

My time has run out and I would turn it over to my colleague.

1740

**Mr John Gerretsen (Kingston and the Islands):** I'm pleased to wind up the debate on this time allocation motion. Actually, I'm not pleased. I don't like time allocation motions. Basically it's an undemocratic move

by the government to invoke closure. We've seen it time after time. Over 90% of all the bills that have been presented by this government since 1995 have been time-allocated. In other words, closure has been moved and they don't want any further debate.

Governments prior to that, including Conservative governments, back during the 40-year reign up to 1995, used it very sparingly—less than 2% or 3% of the time.

I don't like time allocation motions, particularly with respect to this motion here. This bill that we're dealing with affects about 20 different acts, acts from the Tobacco Tax Act to the Fuel Tax Act to the health care system to the education system to the so-called Taxpayer Protection Act. You can just go on and on. This is not just a small, little bill that we're dealing with here; it's a bill that goes over 70 pages long. It deals with a wide variety of issues. Of course, the interesting one is the Taxpayer Protection Act, where the government, that a year ago said, "There can never be tax increases again without it going to the people," now, in its very first year since it passed that act, has had to renege on that promise and say, "In this particular case, we have to actually pass this bill so that we can get out of the act that we passed last year." That's pretty awful, Speaker. I think you'd agree with me on that.

I don't want to spend time on that. Even though I'd love to spend the rest of the few minutes that I have to talk about time allocation, because I really think that closure is wrong, wrong, wrong for our parliamentary system, there are so many issues to talk about, such as health care funding. I think the government loves to say, "Health care funding has gone up from \$17.4 billion seven years ago to \$25 billion now." It's a tremendous increase; I agree. It's also interesting that the federal government over the last two to three years has put back in an additional \$2.5 billion of that increase. I think it's also interesting to note that I don't get too excited about the fact that 47% of all our expenditures now are in health care. If that's where the need is, then that's where the money should be spent. We live in an aging society where people need more medical help, because we all grow older. We live in a society that increases in Ontario by over 100,000 people per year. We've got an additional 700,000 people since 1995, so obviously we're going to have to spend more money in these areas. I don't get too excited about that.

I think the fundamental question that people have to ask is, "Do we have a better health care system now than we did seven years ago?" When you and I and our parents and our children need to go to a hospital or need to see a doctor, are they more or less available, and would the treatment be better or worse than it was seven years ago? I would say the vast majority of people who have had to use the system during the last seven years would say it's worse, and it's worse in a number of different respects. Waiting lists are much longer. Emergency departments are overcrowded. The family doctor shortage that we have, in just about every community



you can think of, is a major, major problem, even for the people who have lived in this province for 40 or 50 years. I know families, where their family doctor has retired or has gone down to the States, that are not able to get a family doctor.

This leads me to my next issue: why isn't the government using more nurse practitioners? I received a letter from a nurse practitioner student in the Kingston area. I'll take a couple of minutes to read parts of this letter. She's an individual who has just graduated from the system and wants to work as a nurse practitioner.

Among other things, she says, "There are approximately 467 nurse practitioners registered in Ontario; however, less than half of these individuals are being utilized fully." We know that. The government hasn't provided funding, in this budget or in previous budgets, for the people who are nurse practitioners who could be taking some of that doctor shortage away to the extent that they could be meeting some of the needs that doctors aren't meeting. Why aren't we utilizing these people? We train these people across the province, but for some reason we're not providing the funding for them. They could deal with a lot of the shortages that are out there in our health care system.

I know the government loves to bring up these statistics, where they say, "We're funding another 25 or 50." What I'm saying is, get enough money to get every one of these 467 nurse practitioners who are currently registered in Ontario—get them enough funding so that we can put them all to work and deal with some of the medical doctor shortage situations.

This individual goes on to say, "I find it disheartening that I have the much-needed knowledge and skill to provide care to those within the province of Ontario but due to the lack of funding the possibility of moving to other provinces or even ... to the United States is becoming an option to consider," more and more.

I am simply saying to the government, take a look at that program. We've got all sorts of foreign-trained doctors driving cabs here in the city of Toronto. We've got all these doctor and nursing shortages across the province. Why aren't we utilizing them to a much greater extent?

Even the Premier talked about it the other day in Kitchener, apparently. Today, of course, in the House he said he doesn't want to interfere with the work of the College of Physicians and Surgeons. Nobody is telling him to interfere with them, but he can certainly tell them, "Look, we are in charge in the province of Ontario and we want more doctors who are qualified according to our standards, qualified in this province and licensed in this province." Surely, that's not interfering with the actual qualification process, but he could certainly speed it along so that the College of Physicians and Surgeons can in effect have examinations or qualify these people in a much faster way than is currently the case so that these people can be utilized in the areas where have doctor shortages.

I see my time is almost up and there are so many other issues to talk about, and perhaps I'll have an opportunity

to speak about them tonight. When you look at the debt of this province—this government loves to say how they managed the economy well. The debt in this province, according to your own document, has gone up from \$90 billion to \$110 billion.

The other one that I always find very interesting is that we spend more on financing the debt than we do on all the social services in this province. This budget should not be passed. It's going in the wrong direction. It is not doing justice to the people of Ontario.

**The Acting Speaker:** Mr Baird has moved government notice of motion number 33. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1748 to 1758.*

**The Acting Speaker:** All those in favour will please rise one at a time and be counted by the Clerk.

#### Ayes

Amott, Ted	Gill, Raminder	Newman, Dan
Baird, John R.	Guzzo, Garry J.	O'Toole, John
Barrett, Toby	Hardeman, Ernie	Runciman, Robert W.
Beaubien, Marcel	Hastings, John	Sampson, Rob
Chudleigh, Ted	Hudak, Tim	Spina, Joseph
Clark, Brad	Jackson, Cameron	Sterling, Norman W.
Clement, Tony	Klees, Frank	Stockwell, Chris
Coburn, Brian	Marland, Margaret	Tascona, Joseph N.
Cunningham, Dianne	Martiniuk, Gerry	Tumbull, David
Dunlop, Garfield	Mazzilli, Frank	Wetlaufer, Wayne
Ecker, Janet	McDonald, AL	Wilson, Jim
Elliott, Brenda	Miller, Norm	Witmer, Elizabeth
Eves, Ernie	Molinari, Tina R.	Wood, Bob
Flaherty, Jim	Munro, Julia	Young, David
Galt, Doug	Murdoch, Bill	
Gilchrist, Steve	Mushinski, Marilyn	

**The Acting Speaker:** All those opposed will please rise one at a time and be counted by the Clerk.

#### Nays

Bartolucci, Rick	Curling, Alvin	Martel, Shelley
Bisson, Gilles	Duncan, Dwight	Martin, Tony
Caplan, David	Gerretsen, John	Phillips, Gerry
Cleary, John C.	Gravelle, Michael	Prue, Michael
Conway, Sean G.	Hampton, Howard	Pupatello, Sandra
Cordiano, Joseph	Lalonde, Jean-Marc	Ramsay, David
Crozier, Bruce	Levac, David	Ruprecht, Tony

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 46; the nays are 21.

**The Acting Speaker:** I declare the motion carried.

About an hour ago I made a ruling and I was asked, quite properly, by the House leader for the official opposition to give a public explanation. The member for Lambton-Kent-Middlesex requested on a point of order to introduce a special guest, and he was told quite properly by the clerks that that time should come from the debating time of his caucus. That is because the debating time is a little bit inflexible during a motion when debate is shared equally.

Immediately thereafter, the member for Davenport rose on a point of order and took time to make an introduction of some other guests. I of course don't control the clock or the time, and so I indicated that I thought the member for Northumberland should be able to recuperate the minute that was used by the different caucus. I don't have any control over that, so it didn't

happen. So I hope that is the explanation that you wanted.

I hope you're not only happy but hungry. It being 6 o'clock, this House stands adjourned until 6:45.

*The House adjourned at 1802.*

*Evening meeting reported in volume B.*



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of Ontario**

Third Session, 37<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Troisième session, 37<sup>e</sup> législature

**Official Report  
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(Hansard)**

**Journal  
des débats  
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**Wednesday 26 June 2002**

**Mercredi 26 juin 2002**

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 26 June 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 26 juin 2002

*The House met at 1845.*

### ORDERS OF THE DAY

#### INTERIM SUPPLY

**Hon Brian Coburn (Associate Minister of Municipal Affairs and Housing):** I move that the Minister of Finance be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing May 1, 2002, and ending October 31, 2002, such payments to be charged to the proper appropriation following the voting of supply.

**The Acting Speaker (Mr Bert Johnson):** Debate?

**Hon John R. Baird (Associate Minister of Franco-phone Affairs):** Could I ask for unanimous consent that the first speaker be the hard-working member for Northumberland?

**The Acting Speaker:** Is there unanimous consent that the first speaker will be the member from Northumberland? Agreed? It is agreed.

**Mr Doug Galt (Northumberland):** I appreciate the unanimous agreement here in the House. Interim supply is one of the most important motions passed in the Legislature. I certainly appreciate being able to initiate the debate on this.

This is a motion that gives authority to the government to continue its programs and to operate the daily business of government. It gives permission to the government to send money to municipalities, hospitals and school boards around the province. Sometimes this sector is referred to as the MUSH sector. It gives permission to pay social assistance benefits to those who are in need. It also appropriates payment of salaries to the dedicated members of the Ontario civil service.

The motion for interim supply does not specify a dollar amount, but rather it provides the spending authority for a specified period of time. The proposed motion for interim supply would cover the six-month period from July 1, 2002, to December 31, 2002. The motion provides global and individual ministries spending authority for health care, quality education, environmental initiatives and other priorities of government so we can continue the job we were elected to do.

We've had enormous growth since we took office in terms of job creation, with Ontario leading Canada—leading very significantly, most of the time—with 50%

of the net new jobs being created. Since September 1995, we've created a net 893,000 jobs.

When you look at the population of Ontario—a little over 11 million people—and you look at almost 1 million jobs, there's roughly 50% of the population that are actively employed. In the neighbourhood of 20% would be an estimate of the number of new jobs that have been created.

When we were first elected, certainly there were no such things as traffic jams around Toronto. There weren't that many people going to work, but with that almost a million people out there working, yes it's understandable why we do have traffic jams in the morning going to work and in the evening coming home.

#### 1850

Also, since 1995 there are 600,000 fewer people in Ontario who now depend on welfare. Most, according to surveys taken, are gainfully employed.

For three consecutive years—1999, 2000 and 2001—we have balanced the provincial budget. We've also put forward a plan to balance the budget for the fourth consecutive year in 2002. I'm very proud of the budget that was tabled a little over a week ago, Growth and Prosperity: Keeping the Promise, brought forward by the Eves government, by the Honourable Janet Ecker.

The unemployment rate is down to 7%. From the end of 1995 to the first quarter of 2002, consumer confidence was up 52%. Housing starts are up 17.2%. Real disposable income has increased by 18.5% since we began cutting taxes. Tax revenues to pay for programs and services have risen by nearly \$14 billion since we began cutting taxes. The provincial economy has grown by almost 27% since 1995, compared to 20% in the rest of Canada—a significant difference.

Ontario got to this enviable position thanks to our government's prudent fiscal management and sound economic policies. Over the years, we did not shrink from making tough decisions and responsible choices. We focused on creating the conditions to increase growth and achieve the highest quality of life for the people of Ontario. I'm pleased and proud that we stuck to our plan.

Economic growth has been spurred by tax cuts. It has enabled our government to invest in priority programs and services such as health care, education and the environment. You may recall that earlier this afternoon we heard the member for Lambton-Kent-Middlesex commenting about the kind of care his son received. I hear so many people speaking so highly of our health system, particularly after they have left the hospital. Well over 90% speak very highly of it. Of course there's a percent-

age that would criticize even if they won a million dollars. Those who fall in the cracks are very few. It's a health care system we should be very proud of.

The ability to set priorities is perhaps the most important aspect of effective, efficient and accountable government planning. In Ontario, the government has set investment priorities based on the values of everyday Ontario taxpayers. We know these taxpayers are not wasteful spenders. We know they believe in balancing their books and spending wisely. We know they want the same from their government. Our government agrees.

Interim supply provides the authority to spend, but we must make responsible choices to ensure we stay the course for prosperity. We've been hearing a lot about prosperity since the 2002 budget, tabled last week, in particular with its title, *Growth and Prosperity: Keeping the Promise*.

We believe that a government can make important contributions to prosperity by exercising prudence and frugality in its own operations. That's why we've pursued a consistent course of tight fiscal discipline, balanced budgets and debt reduction in order to provide more resources in priority areas. The focus has been on the efficient and effective delivery of government programs and services.

Taxpayers, citizens and users of government services expect the government to deliver quality services in the most efficient and effective manner possible. That is why in the 2002 budget we announced a number of initiatives that would maintain and improve government accountability and the delivery of services to the people of Ontario.

My colleagues outlined these initiatives earlier during debate on the budget bill. I'll just touch on some of the highlights, because it is indeed important to keep our government's plan in mind when debating interim supply.

Some highlights of the budget to improve government accountability and the delivery of services include things such as incorporating zero-based budgeting principles into our business planning process; requiring that every ministry review all of its program spending over a four-year cycle to determine program effectiveness, efficiency and value for money; establishing a parliamentary assistants' committee on program evaluation to identify resources for redirection into priority areas; committing to developing more effective ways of preparing and presenting the provincial budget; providing our public sector partners with more stability and certainty through the development of a multi-year base funding model, including the introduction of three-year base funding for hospitals and school boards. That has been a big issue in my riding, both from hospital boards as well as school boards: to know and to be able to plan ahead as to what kind of funding they can expect so that they can work toward that. I certainly look forward to the budget next March, when that kind of funding is laid out.

There's also a commitment from our Minister of Finance that the budget will come out ahead of the fiscal

year. As long as I've been around here, and as long as I can remember, budgets have been in May. I've often wondered why they weren't in March, prior to the fiscal year starting. Aiming to table the next provincial budget before the start of the fiscal year, as I've mentioned, is certainly a pledge to be complimented.

There is a pledge to work toward publishing a multi-year fiscal framework in the Ontario budget outlining revenue, expenditures and economic projections, to be developed in accordance with sound fiscal management principles, including responsibility and transparency.

Our government will also move to a more businesslike way of managing and accounting for tangible capital assets. As of this year, the government will depreciate assets in the same way that a business does, which will enable the government to determine the true cost of delivering government services and improve resource allocations.

We will also introduce amendments to legislation that would convert legislative spending authority and appropriation control to the accrual basis of accounting effective April 1, 2003. This move is consistent with recommendations of the Ontario Financial Review Commission and the Provincial Auditor.

I believe these measures demonstrate our government's profound respect for transparency and the taxpayers' dollars.

This is further demonstrated by our continued commitment to a balanced budget. We're proud to have presented a balanced budget for 2002-03, the fourth year in a row. Total expenditures in 2002-03 are projected at \$65.5 billion, up almost \$2.2 billion from 2001-02. This is mainly due to increased health care and education spending. A reserve of \$1 billion has been included in the 2002-03 fiscal plan to protect the balanced budget against unexpected and adverse changes in the economic and fiscal outlook. The reserve will be available for debt reduction if not needed.

Our commitment to managing with prudence and frugality, our plans to ensure government accountability and the efficient and effective delivery of government services, our balanced budgets: these are indeed the hallmarks of our government's fiscally responsible management. To continue this government's fiscally responsible management, we hope all members will be supportive in ensuring the motion for interim supply will be passed as soon as possible.

**1900**

**The Acting Speaker:** Further debate?

**Mr Bruce Crozier (Essex):** I want to take a few minutes this evening in this debate on interim supply to cover a couple of areas that are of particular importance to me and, more importantly, to my constituents.

It was just a day or two ago that my colleague from Windsor West made a statement in this Legislature on the issue of special-needs students and the lack of funding that is all across the province but is very acute in the Windsor-Essex county area with both the public and separate school boards. For example, the Catholic school



board in Windsor will lose their librarians next year because they have to take this funding and put it in other areas where it's more needed, and that is with children with special needs.

In the public school board, children are just simply not getting the services they need. They've been assessed according to the government's own regulations and assessment guidelines. Notwithstanding the fact it's been almost an insurmountable amount of paperwork, these children's needs have been assessed. But the school board is getting the same amount of money it got in 1998. The needs of the children have grown, the number of children who need special attention has grown, and yet the funding stays at the level it was at in 1998.

Since that time, the board has registered 200 new special-ed students who qualify for supports under the ministry's own guidelines, but the funding is just simply not there. Our public board now has 100 students waiting for psychological assessments. Goodness knows what their needs may really be once those assessments are made. The wait is an unacceptable one to two years.

I see the member for Windsor West has just come in. I was saying to the Speaker and the Legislature how you raised this issue just this week. I'm sure the member for Windsor West will have more to say about it perhaps later this evening.

We constantly hear from parents who are concerned about their children's needs, and these needs aren't being met. It was just last week, in a question to the education minister, that I pointed out that the Greater Essex County District School Board has in fact passed a budget that avoids a deficit this year, but in order to do this, deep cuts had to be made. The board is taking nearly a million dollars from its \$2-million reserve to avoid a deficit. The board is spending \$4.5 million less on special education than it should be, and this is a cause for alarm.

The system has been systematically underfunded and it's left school boards across the province, and I think most acutely boards in the Essex-Windsor area, between the proverbial rock and a hard place. School boards don't have the money to carry out their mandates to provide a quality learning experience to students under all circumstances and of all abilities, and our kids are suffering. We hear almost daily of school boards wrestling with this question—the Ottawa school board and the Toronto school board. We have boards on one hand that are legislated to provide a certain quality of education. They're mandated to provide a certain amount of support for special-needs kids. But then the government just comes along and says, "I'm sorry, there isn't the money there for it."

I liken it to being diagnosed for some kind of health procedure, and the doctor says, "Yes, you need your appendix out. There's absolutely no question. Your appendix has ruptured. The diagnosis is there. But you know what? We don't have any money for the operation." Thankfully that kind of thing doesn't happen in health care, although it's got so many other concerns that they are almost too numerous to mention. But it's happening in education. There's a diagnosis of an acute

problem, but then the government just says, "There isn't enough money to take care of it."

We're told by the minister—and in fact it may be the case, and we can see it in the budget—that there is more money being spent and I don't argue with that. What I do have a problem with is that there isn't enough money to carry out the needs that are in the system. That's what we all should be concerned about. I hear about it in my riding because we have a shared school board between the county and the city. I'm sure my colleagues from Windsor-St Clair and Windsor West hear these stories. In fact, I'm sure that there are members all across this province who hear these concerns. Surely the government members must be taking those issues to the minister. The kids and the parents out there are saying, "Listen to us. Help us." Frankly, if we don't help these kids now, either in the regular stream of education or in the special-needs area, we're going to pay for it later, and the expense will probably be greater.

One other area that I'd like to speak about tonight, outside of education, is one of a specific need in my riding. As part of these estimates, I'm trying to convince the Minister of Transportation that money should be spent on Highway 77, which runs partly through my riding and partly through the riding of the member for Chatham-Kent Essex. That highway is in absolutely deplorable shape. I've brought this to the attention of the minister. In fact, the engineering has been done. As a matter of fact, there's been a meeting held about one of the detours that may be taken when the highway's reconstructed.

When you go along a highway in Ontario in the year 2002 and you absolutely have to go around potholes and areas of the highway that are broken away, that's just not acceptable. We all talk about wanting to have an atmosphere in which business can flourish, in which the economy can flourish, and I agree with that, but here's one of the most heavily travelled provincial highways in my riding and it's literally falling apart.

Just as an aside, I understand that there aren't many kilometres of provincial highway left in my riding, in that so many parts of our highway system have been downloaded to municipalities, but this is one that is still the responsibility of the province of Ontario. It's a case of where, again, if you don't fix it today, it's probably going to cost more to repair in the future. So I would encourage the Minister of Transportation to acknowledge my appeal for the repair of Highway 77.

I've written to the minister and asked that he come down and we'll take a drive on Highway 77. In fact, a trucker offered the other day, after seeing my offer to the minister—he said, "What I'll do is take him along in my truck, only we'll take the air out of the passenger seat. It will be a bumpy ride." I've offered to buy the minister lunch if he'll come down, right out of my own pocket.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** Can you do that?

**Mr Crozier:** Yes, you can do that. It won't be one of those gifts that he would have to be concerned about.

While I'm speaking about it, I might mention—in fact, I did; I spoke to the minister this afternoon. He's fully aware of the problems we're having with the Pelee Island ferry, the Jiimaan. The main mode of transportation to Pelee Island blew an engine on Saturday—just another event in a long series of events with a ship that just doesn't want to work the way it's supposed to. So I suggested to the minister that when we're finished our ride down Highway 77, right at the very south end of it we'll go right out on the Leamington dock, jump on the Jiimaan, if it's running by then, go to Pelee Island and address some of the issues with the islanders.

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It may seem that I'm making light of this, but it's a serious economic problem on Pelee Island. They're entering the peak of their tourist season; they're entering the peak of the agricultural season. We have grapes on the island for the winery and there are other crops that will be taken off come July, and the main mode of transportation to the island is now laid up at dockside. I want to say there's a lot of frustration and some anger on the island, but a great deal of concern.

Ontario Northland and, through it, Owen Sound Transportation are doing the best they can. The engine is being removed from the vessel. It's hopefully going to be replaced by another engine soon, and they're seeking temporary transportation. But we've got an island economy that is really suffering. So I wouldn't mind at all if the minister would come along with me on that.

*Interjection.*

**Mr Crozier:** What's that, member for Windsor West?

**Mrs Sandra Pupatello (Windsor West):** The Hydro One yacht.

**Mr Crozier:** The Hydro One yacht. Well, it might be good for moving people on and off the island, but the need is really much more serious than that.

So there are two issues tonight that are constantly on my mind that, as the House rises tomorrow, I'll take home with me and be working on in the riding: the concerns about Highway 77 and the concerns we have about transportation on Pelee Island, and certainly the concerns about those children who will be leaving school this week for their summer break but will be coming back to a situation next fall that won't be much better than when they left, and that's something we absolutely have to address.

**Mr Tony Martin (Sault Ste Marie):** I appreciate the opportunity this evening to speak on supply, which really is an opportunity for us to focus on things that are close to either our areas as critics, that perhaps impact our own constituencies or that are just issues of interest or concern, or some thoughts we want to put on the record. There's no real limit to the kinds of things we can talk about.

Tonight I particularly want to talk about a couple of things. One is to describe what I see as signs of the system in place today, the agenda of this government, the evolution of the province beginning to fall apart, come apart at the seams or, as others would say, begin to fray at the edges. There are certainly signs of that.

I'll start by sharing with the House some comments I found last week in the Toronto Sun, a newspaper that's not known to support a Liberal or New Democratic approach to public business in the province but that certainly is supportive of the Tory agenda, the tax-cut agenda, the shrink-government agenda, the privatize-everything-that-moves agenda. It's interesting that in an article on Tuesday, June 18, Sue-Ann Levy refers to a piece in the New York Times recently where a reporter obviously visited Toronto.

Many will say that Toronto is the industrial heartland of this province, and indeed of this country. For the longest time under this government, it didn't feel in the same way other towns and cities across this province did the deterioration, the shift in the economy that affected those particular communities. But this reporter speaks to an issue I've put on the floor here on a number of occasions over the last seven years, which is, if you don't pay attention to the signs, you will live to regret it. If a system, a body, begins to fray at the edges and you don't deal with it, you don't take proper precautions, you don't listen to what's being said by way of the deterioration at those edges, the whole body then begins to get sick and it's very difficult to recover. The further down the road you get, the more difficult it is to recover.

This reporter with the New York Times claims, in a June 16 article headlined "Amid Prosperity, Toronto Shows Signs of Fraying," that Hogtown is portrayed as Canada's premier city for business and finance, and that it has started to deteriorate around the edges. The reporter points to the number of homeless people we find on the streets of Toronto, the number of panhandlers. It is a very legitimate and obvious point.

When I came to Queen's Park almost 12 years ago now, you didn't see anywhere near the level of homelessness, nor the definition of homelessness that you see on the streets of Toronto now. You used to see the odd individual here and there, mostly not well, victims of a decision by government over a number of years to move people out, in many instances, from some of the mental health institutions that were closed down in the 1970s and 1980s, who weren't looked after by way of government programs. There wasn't enough money put into services to support those folks and, yes, there were a number of those people out there. But government in those days was actively involved in building social housing, in funding programs.

I remember that in work I did before I came to this place, many of the mainline church groups in the province were actively involved in very creative and innovative and exciting programs to reach out and help people in their neighbourhoods who found themselves out of pocket, out of the resources they needed to house themselves or to feed themselves. They were doing some very exciting things.

As a matter of fact, it was in the 1980s, doing my work with the Social Planning Council of Sault Ste Marie, that I participated with a whole host of other folks from various sectors of the community to look at the



question of poverty and homelessness and how we might improve our system of social service delivery etc in towns and cities across the province. We came up with a massive document together, a massive report that people across the province of various levels of influence, from as high and mighty as Conrad Black to the actual people themselves on the street who needed the service—fingerprints all over this document. It's called the Thompson report, the social assistance review report that came out in the late 1980s that was the blueprint to resolving a whole lot of these issues. But alas, governments of various ilk, and in particular this government, decided to not take the bull by the horns, not to make that very significant investment up front that was needed if we were going to resolve some of those issues so that reporters today wouldn't be coming to Toronto from New York and writing in the *New York Times*, which is probably read by literally millions of people across the world, that Toronto the Good, that place that so many people over the years looked up to and still look up to and see as the epitome of everything good and right, is beginning to, as this reporter says, fray at the edges.

It's a sign that we have some problems, that the system isn't working, that the almost religious obsession and preoccupation of this government with tax breaks, with shrinking government, with privatizing anything that the private sector might be interested in is not delivering the goods, is not providing the kind of fundamental stability that a community—Ontario—needs to have if it's going to take advantage of some of the economic possibilities that are out there and if it's going to include everybody both at the front end and the back end as it moves forward.

It also says that another sign that Toronto isn't doing well, that it's beginning to fray at the edges—and I say, as I've said before, that it's not just Toronto, but Toronto is probably the last of the big centres in the province to begin to really feel this in a major and significant way. But it says here that, as if recognizing the homelessness and the poverty that exists in Toronto isn't enough, "the *Times* story also touches on our other Achilles heel—namely that Toronto the Good is good and dirty." It's a dirty city and it's gotten increasingly dirty over the last seven years.

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I remember going to estimates on a couple of occasions with the Minister of Health from this government and talking to him about the growing concern that I and others have about TB on the streets, and now TB in some of our public institutions, in our corrections system. TB is becoming more and more of a problem. It is a sign, a symptom, of dirtiness, of our not paying attention to public health and to the effect that having dirty streets and dirty water, as in Walkerton, ultimately has on the lives of our citizens and our communities.

There are other signs. I talked earlier today, and I've talked particularly in my own part of the province, in northern Ontario, about the fact that in the north, and I

would suggest probably in most of rural Ontario, the population is shrinking. People are leaving. They are moving to the bigger centres. What are they finding in the bigger centres? They're finding poverty, homelessness and a deteriorating public health circumstance.

They are leaving places like Sault Ste Marie, North Bay, Thunder Bay, Sudbury and Timmins in large numbers. It's not insignificant. Between 1996 and 2001 the latest census tells us that, on average, there has been a reduction in population of between 6% and 8% across the board in northern Ontario. Every single community, and I would suggest probably in rural Ontario too, has lost significant numbers of people over the last seven years. That reflects very clearly that the economy in those areas isn't working.

So for all the talk about tax breaks stimulating the economy and creating an economy that's going to be good for everybody, and everybody is going to benefit and be better off, the signs are beginning to say the exact opposite, that in fact that's not the case. In northern Ontario, a shrinking population, a decline in the economy; in Toronto, more homelessness, more poverty, an unclean city. That's a road I don't think we want to be on.

We need a government here that is willing to take responsibility for those things they have been put in charge of, to give leadership and to be willing to spend the time, energy and resources that are necessary to make sure Ontario continues to be one of those places that leads, as some across the way on the government benches will say, the G8.

We have dropping population. We have big-time turmoil in our health care system. I don't think anybody who has tried to access or who has anybody who has tried to access or who has read the papers or been in tune at all with what's going on out there in the public policy of this province will disagree that we have turmoil in our health care system. We don't have enough nurses. We don't have enough doctors. The doctors we do have aren't distributed properly because we don't have a system in place to encourage that. We have waiting lists a mile long for whatever malady happens to be challenging you at the moment. We have increasing costs to people by way of user fees, and on and on.

We have major turmoil in our health care system, not to speak of the education system, where again the government said, "If there isn't a crisis, you create one." Well, they certainly were successful at that. If they were successful at one thing in their seven years as government here, it has been in creating that crisis in education, because we have nobody now in the system, whether it be teachers, administrators, the boards—several boards now have gone on record as being willing to actually break the law of the land and approve budgets that aren't balanced, because they know that to approve a balanced budget would not deliver the kind of programming students need if they are going to maximize their potential to move on, to participate and to take advantage of the potential they have.

Now we find, by way of questions to the Minister of Education—we ask her every day at least one or two questions on what's going on—that it's blame the boards, blame the trustees, but certainly no blame back on the government. They won't take any responsibility at all. They won't be held accountable.

But they will be held accountable. Ultimately and eventually, they will have to go to the people, there will have to be an election and the people will be looking, I believe, at that time for a government that's willing to commit itself to strong leadership. They're going to be looking for a government that's got some bright ideas, that knows what it wants to do and is willing to do it, a government that's willing to spend some of the public money we have access to to make sure those systems are improved. That'll be an opportunity for all of us to put on the table at that time what it is we're committed to, what it is we believe in, and what it is we think we can do.

I certainly have no hesitation in saying to the House tonight that our leader, Howard Hampton, has shown over the last couple of years at least, and over the last three or four years, as long as he's been leader with us, but certainly over the last couple of years, that he has the energy, the stamina and the vision. Together we have the team that could offer this province an alternative, a very exciting opportunity to make change and to make that change for the better for all the citizens of the province.

I want to talk for a couple of more minutes—because I don't want to take up all of the time tonight; I have a number of caucus colleagues who are coming back to speak to this motion—to share with the House that I've been back and forth to Ireland for the last couple of years, taking a look at the really exciting economy that's happening over there, trying to get some business happening between my own community, Sault Ste Marie, where our economy has shrunk and our community is losing population, so that we might stimulate perhaps some partnerships and some business. We went to Ireland with a group of 12 business folks in the year 2000.

**Mr Dave Levac (Brant):** Good stuff happening.

**Mr Martin:** Yes, really good stuff happening.

They came back to see us with 23 people in 2001, and then we went back just a couple of weeks ago with 84 people, so the thing is growing. There's an interest from the Irish in what's happening in Sault Ste Marie and the potential we have to be a window on the North American market for them. We're certainly interested in the opportunity for Ireland to be an entrance or a window for us into the European economy.

The interesting thing about all that is that I went there first simply to try and make the matches, put people together and see if something could happen. I know that I'm not the business person who's going to have the bright idea and make that partnership and investment, but we have people both in Sault Ste Marie and in the part of Ireland we're going to who do have those skills and who do have the resources and are looking at this.

The interesting thing I discovered, almost as a by-product of going over there, was some of the under-

pinning, some of the fundamental investments and commitments that the Irish—not only the Irish, because I was in Finland a couple of weeks ago as well, invited by the Finnish ambassador to meet with the ministers of foreign affairs and foreign trade, and to meet with some business people in Finland with the honorary consuls from Canada who are invited back from time to time, usually every eight or nine years, to see what's new, to see what's going on, to meet the officials and the people and get brought up to date, get some in-service so that when they're representing Finland and working on behalf of Finland and the Finnish people all around the world, and particularly in Canada, they will be current. So they invited me to come along and I went.

Here are two jurisdictions that 10 or 15 years ago were lagging way behind where the European Community was concerned and they have leapfrogged right over the top. I was listening intently, first in Ireland and then in Finland. What was it? If you listen to the Conservatives and you read some of the very right-wing magazines and newspapers out there, where the Irish economy is concerned particularly, they'll tell you it was very simply a very competitive corporate tax structure. I don't deny for a second that it's there; there is a corporate tax structure that on first blush looks like it's pretty generous if you're looking to invest. But when you consider the investment that is made in Ireland by the European Union and the Irish government itself, that more than overtakes the money that is given by way of incentives to business, and you begin to understand why it is and how it is that the Irish economy has been able to right itself in such a dramatic and exciting way.

They've done a number of things. One of them is long-term planning that is centred on a partnership. They've brought together business, big and small, with organized labour, with community groups, with local government and federal government to assess, "OK, what's the challenge? What is it that each of the partners needs to get out of this, and what is it that they are willing to contribute?"

**Mr Levac:** What's their priority?

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**Mr Martin:** They put five-year plans together, and the priority that has come out of that has been education, front and centre. They decided to spend whatever it would take; it didn't matter. They got money from the European government, they got money through the collection of their own taxes, and they invested in education. They invested in capital, in buildings, in making sure there were resources, teachers and libraries there for the students. And they invested in the students themselves.

I discovered that in Ireland, out of this partnership decision that was made, driven by government and supported by government, they decided it was so important that their young people maximize their capability to develop their intellectual capacity and that post-secondary education is so important—where we think secondary education is sort of as far as we should go, they've decided that any young person who wants to



participate in the new economy, over there a lot of IT, needs post-secondary education, so there are no tuition fees. As long as you qualify, as long as you're willing to do the work and you get the marks, you can go to college or university in Ireland.

You know, it's an interesting thing: it's the same thing in Finland. That's what they've done. In Finland, because they know the most valuable resource they have is not their forests, not their metals, but their people, they've invested heavily in their people.

How did they do that? Well, education: they decided they were going to take every single individual who called Ireland or Finland home, no matter their capacity, no matter their challenge, no matter their disability, and they were going to give them the opportunity to grow to their maximum in terms of education, to learn a skill and grow their intellectual capacity so they could be involved in the new technological changes that need to happen and begin to work in those new industries that are evolving.

As a matter of fact, those two countries have become so convinced that people are their greatest resource that they are now beginning to change their laws so they can encourage people coming back: inward immigration to those countries. They've decided that anybody who has had a parent or a grandparent who had Irish citizenship at one point can get their citizenship, can have dual citizenship, so they can come back and work.

Mr Bartolucci and I are going to do that for our kids so they can do that. It's probably too late for me, but you never know. I might be out of here in a couple of years and I'll be looking for some opportunity. I'll probably stay in the Soo because I love the Soo and I love that part of Ontario, but if I wanted to, I could get my Irish citizenship—it's not difficult—and I could end up, as my kids could, going to school or working in Europe now, because they know that 10 or 15 years down the road, the biggest competition is going to be for people. It's going to be for workers. It's going to be for folks who have the capacity to participate in whatever the economy is doing at that particular point in time. So they're investing. They're investing in education. They're interested in bringing people in.

They are not only interested in bringing people in, to speak to the concern of Mr Ruprecht earlier today; they want to educate those people. They don't just want to bring them in and put them in an enclave someplace or arrogantly sort of say, "We're better than you. Yes, you can work in Ireland or Finland, but you're going to be a second-class citizen." No, they bring them in and they say, "OK, how can we help you better yourself? How can we educate you so you can participate to your fullest capacity in the economy that now operates in our country?" What a difference. What a juxtaposition to what's happening here in Ontario today, where some might say we're actually discouraging people. We're setting up an education system that caters to the elite, to those who can afford to go to university or college. What a backward-thinking way of going about building our capacity where education is concerned.

These countries as well, believing in partnership and the need to bring people together around the table to formulate plans so they all know where they're going and are on the same page and moving in tandem into the future, these countries which believe that education is the most important foundation block you could have in place, are doing all kinds of other neat and interesting things too around the building and maintenance of community.

The last five-year plan that the Irish government put out happened when I was there in the year 2000. It was called a Program for Prosperity and Fairness. The most overwhelming thread running through that plan was this notion of inclusion, of including people. This plan that talked about all the things that could happen and that the government and the partnership wanted to see happen challenged communities that would apply to government for support or leadership to first of all identify every single individual who lived in their jurisdiction and how they were going to participate in the program or be affected by the program and, in the end, benefit from that program—the notion of inclusion.

This government has made a science out of exclusion. They've targeted organized labour. They've targeted teachers. Now, right at this point in time, they're targeting school boards. Group after group after group feels like they're the problem. This government has a way of identifying who is the problem, as opposed to who can contribute and participate and be a partner in the developing of a jurisdiction or a plan.

That's what Finland is doing as well. The thing in Finland that really amazed me probably the most—and I heard it from business leaders, government leaders, leaders in the social sector—is the commitment they have to what they refer to as social security, the welfare state. By that, they don't mean simply and narrowly the delivery of social services—but that's all part of it. What they mean is a sense of people's belonging, a sense of stability, creating a sense of community where everybody feels like they belong and they have something they can do and they can participate, and that when they do that, no matter what the contribution, whether it be looking after elderly people, working in the health care system, education, farming, no matter what it is, if you're contributing, you should be compensated in a way that reflects the level of dignity you inherently have because of your citizenship in that particular country. Wouldn't that be a wonderful thing in Ontario?

I suggest that we need to go there. We need to start taking the responsibility of government more seriously. We need to start challenging each other to lead, to be willing to put the resources in, to be willing to put the effort and the energy into making sure that we're working together for the benefit of everybody involved. Because if we don't, in the long run, we'll cut off our nose to spite our face.

I suggest, as I always do when I get a chance in this House to say a few things, that the first and most important place to start is in looking at how everything, absolutely everything, we do as government affects those

in our communities who are most vulnerable, at risk and marginalized, because I think that's where we get our best ideas. I think that's where we get most of our inspiration. I think that's the bedrock upon which we grow a civilized, intelligent and caring society.

So I call on all of us here tonight—and I certainly commit our party with our bold, bright ideas and strong leadership to do that—instead of constantly checking to see what Bay Street is saying or how Bay Street is going to be affected or what they think, to look more and more at our communities and ask those who are most at risk, most vulnerable and most marginalized how what we're doing may affect or support or in some way impact on their lives.

I have others in my caucus who want to speak. I've taken up a lot of time here. I just want to thank everybody for their attention.

**The Acting Speaker:** Further debate? The Chair recognizes the member for Windsor West.

*Applause.*

**Mrs Pupatello:** Thank you. You won't see ministers giving me applause very often. Thanks, minister.

**Interjection:** Don't get used to it.

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**Mrs Pupatello:** Yes, don't get used to it. Exactly.

I'm very pleased to address the interim supply bill. There are a number of issues that I'd like to get on record, things I have brought before the House in the past and which have everything to do with the riding of Windsor West.

Primarily I wish to talk about health care and what my community is lacking in health care. Over the last seven years there have been a number of solutions that we have proposed to the government that can deal with a number of our problems, but the overriding theme in my community is that we do not have enough physicians. We don't have enough family doctors and we don't have enough specialists. Practically without fail, every member in the House today is coming from an area that is underserved in physicians. Of these, Windsor's is the most acute.

In 1997, my office filled out the application form for Windsor to become the first southern urban centre to be designated as underserved. We had to apply to a northern rural program for such designation. That's how acute our problems were. Even though we got this designation, it meant absolutely nothing in terms of bringing more doctors to our community. Even today, as they trickle in here and there, it nowhere near makes up the number of doctors we lose, either to south of the border to lucrative contracts with American HMOs, to other places in Ontario or Canada, or doctors who retire.

Most of our physicians are of an average age that is older than the general average age of physicians across Ontario. Most of our physicians, when they're hitting their 70s, would like to wind down their business and start working part-time. Unfortunately, their practice and the demands on their practice don't allow these people to do so.

Over the years we've asked the government to consider a whole variety of solutions. Many of these solutions would be considered short-term measures for some immediate relief for this problem. Solutions that we have proposed have also included long-term measures. I know this House has heard from me, the member from Essex, Bruce Crozier, and the member from Windsor-St Clair, Dwight Duncan. All of us have talked about the need for a medical school, the need to increase the number of spaces in the medical schools that exist in Ontario. We are not turning out enough physicians to deal with the acute attrition rate of our physicians.

In addition to having to get more physicians trained, we know there are stop-gap measures they could implement immediately. One we addressed in the House today. I asked the Premier today in the House if he was prepared, rather than being frustrated by inactivity through the various levels of bureaucracy that could bring in foreign-trained physicians into Ontario to actually practise—we suggested that Premier Eves holds the key, because this government writes the mandate for the College of Physicians and Surgeons. Tomorrow, by a mere stroke of the pen, without a bill coming into this House or for debate, this House, this government, can change the mandate of this college. The Minister of Health is also aware of the ability of the government to change this.

**Hon Norman W. Sterling (Minister of Transportation):** That's just balderdash.

**Mrs Pupatello:** There's a minister sitting in the front benches who is suggesting that that's some kind of interference with the current law of Ontario. This government had absolutely no trouble not only breaking its own law with the Taxpayer Protection Act but rewriting it. You brought in an amendment during the budget because your law apparently wasn't good enough for this government. Apparently the law was fine and it could introduce its own amendment when it wasn't satisfactory.

**Hon Mr Sterling:** Mr Speaker, on a point of order: The College of Physicians and Surgeons is a very important group in Ontario, and we give to them the right to license physicians and protect the public. She is suggesting we—

**The Acting Speaker:** That's all very good information but it's not a point of order.

**Mrs Pupatello:** Whenever government members don't want to hear this message, they suggest points of order that aren't even points of order. A former House leader clearly would know the rules of the House. You just sit there, because your region of Ottawa, Minister, is having just as many troubles in the health system as my riding of Windsor West. This member from Ottawa had better have a look at his own backyard, at hospital services like CHEO for children, and wonder why people in your own Carleton riding are up in arms at the health services that are lacking in Ottawa. So don't be standing up and making smart commentary during my debate tonight.

Here is the point: what this Premier Ernie Eves could do with the stroke of a pen is include in the mandate of



the college that it be required to streamline processes for foreign-trained physicians.

**Hon Mr Sterling:** That is so much bunk.

**Mrs Pupatello:** This minister has the gall to stand up and suggest that it's bunk. This is a government that can change the law on a whim, that can decide in a minute that the Taxpayer Protection Act just isn't good enough any more, so they bring in an amendment so that we don't have any more taxpayer protection. The very thing this government was elected on, it broke its promise to the people.

*Interjections.*

**The Acting Speaker:** Order. For whatever reason, there is talking back and forth. It can't happen, it doesn't happen, it won't happen. If you want to go voluntarily, fine. If not, we'll have to move you out. But we can't have this back and forth.

The Chair recognizes the member for Windsor West.

**Mrs Pupatello:** Thank you, Speaker. Clearly, this minister doesn't want to hear some very harsh realities in his own province when he's at the switch and can make a change.

We have suggested over the years a number of short-term solutions to have some ease for the health system in my community, for our constituents. We've suggested special protocols so that our Windsorites and people of Essex county can access out-of-country OHIP so that we can get our patients into the US literally tomorrow, so they can get care that they need immediately.

We brought cases into this House of people who were put on a list. I recall one woman who went with her daughter to her neurosurgeon appointment. When she arrived at the desk for that appointment, the people there said, "I'm sorry, but you're here on the wrong date." They said, "No, we've waited a year for this appointment and in fact, we're here and this is the card." They were then informed that they were there in the wrong year, because that's how long it takes in my community to get a consultation with a neurosurgeon. Unless you're coming into the emergency room feet first, and unless you arrive at a family doctor where they think you are in absolutely grave peril in terms of your health condition, you are going nowhere in our system because we have a shortage, virtually across the board, of family doctors, virtually across the board of specialists, and you wait and wait and wait. That's what happens.

We've requested special protocols. My office has become the expert office at getting out-of-country OHIP, so we get calls from all over and know the people out of the Kingston OHIP office literally by their first names because we talk to them on an ongoing basis for a whole variety of issues, mainly getting people access to timely care, however we can get it for these people.

We insist on having a streamlined process for our area because we are so acutely underserved. We've requested of this government incentives for family doctors to include people who aren't ordinarily their patients so that on an ongoing basis, people who are stuck in the system, either the social services system or the WSIB

workers' comp, whose files can't move forward because there is a health condition for which they need a doctor's note or a doctor's investigation—they don't have a family doctor and the file goes absolutely nowhere.

These are people who should rightly be on the Ontario disability program, for example. These are individuals who should rightly be receiving some kind of compensation through workers' comp, but their files are stopped dead. Why? Back to the problem at large: we don't have enough physicians. We've asked that special incentives be created so these people can get that kind of medical information needed to move their files forward.

We've requested a review of how we are giving billings for physicians who work in clinics. We specifically asked for a review of codes A001 and A007. This is specifically because those physicians who work in clinics don't have to keep files on these patients. It's meant to be one of those stop-gap emergency-type stops. But what's happened in my community, with such a huge and acute shortage of physicians, is that these clinics become the basis for literally family care. It's gone overboard because we don't have enough family physicians.

The way that we pay our physicians in clinics allows these individuals absolutely no incentive to open a family practice so they can get that kind of wholesome care that they would get if they actually had a family physician. We've asked for a special SWAT team that will study and implement immediately an exemption to the current process for foreign-trained physicians. We've asked for that kind of amnesty for some period of time for, a minimum, the 1,500 foreign-trained physicians who live in Ontario and who've been trained at facilities around the world that are seen and known to be equal or higher status than our Canadian schools and our Ontario schools specifically.

The Minister of Health's own numbers say there are at least 1,500 of these people. Those people can immediately be integrated into our Windsor system, into the Ontario system. This SWAT team's job would be exactly that. We've asked for this repeatedly. It's gone absolutely nowhere.

We have asked for funding of community health centres. The government is sitting on applications for community health centres across Ontario, including the city of Windsor. We have an application in. We've heard virtually nothing anywhere in Ontario that this kind of service would be expanded, at least as an interim measure.

**1950**

When the Guelph community went forward with applications to be received for family doctors to be housed in their community health centre, they had one spot and 14 physicians who wanted to work in that kind of environment. There are people who will work out of community health centres. If only they would fund those centres, there would be some immediate relief to my community.

We've asked for a number of programs to be funded in my community. One example is angioplasty in my city.

When the leadership candidates for the Conservative Party were on the road, I recall the day that Minister Clement went to Scarborough and announced angioplasty in a community hospital, because he knew it could happen there and the numbers warranted it.

For at least the last two to three years, the Windsor numbers of patients who need angioplasty warrant that program being available in my community. We've asked for that, and the minister's excuse, repeatedly, has been that he's fighting his own bureaucracy to allow this program to be in my community. We have every part: the cardiologist who can perform the surgery, and the equipment. What is required is permission of the government and the operating funds to operate that operating room that is going to be required to do that. Almost every piece of the puzzle but one—and the government has to step in to provide that.

We have a higher than average rate of heart disease incidence and a higher mortality rate in my community, mostly because of the wait. The people of Windsor-Essex are now shoved on to a southwestern list because they go as far as London to receive this procedure, when our own numbers warrant that they will do enough procedures in my community that a surgeon can perform the procedure effectively. Again, this program has gone nowhere.

The effect of having such a program in my community means that they are then in a position to attract cardiologists, which we are short of. If we don't have programs that can attract these specialists, how can we go about searching for cardiologists who may want to come, when we don't have those programs that they can work in? When they just graduated at that highly skilled level, of course they'll want to operate and use the skills that they've learned. Having the program is absolutely the magnet required to bring the cardiologists to Windsor.

We've asked for special locums to be used, even in the Windsor community, much as they've been used for years in the north. That's so that at least as an interim measure, when we don't have a Hep C doctor in my community but we have many hepatitis patients who are now forced to travel as far as London just to get some ongoing continuum of care for Hep C—we don't have this available to us. So we spoke to the ministry about, "Can we bring in a hepatitis doctor who's prepared to travel on a regular basis?" Maybe that's monthly, or every two weeks—and spend a weekend in my community. We would find offices available for them to do that practice in that weekend, maybe once a month, and see patients on a regular basis.

This program's gone nowhere, even though we've asked for it repeatedly. The latest, I'm told, is that perhaps we'll get some kind of study done by the end of the summer. We have patients who need this service now. We've lost our doctors. We have patients who wait for a year to get an appointment with those that remain. This isn't acceptable.

So when I have to sit and listen to the debate across the way about how swimmingly we seem to be doing in Ontario, I look for some of the most basic health services

that are to be delivered by the provincial government, and the provincial government fails at practically every turn.

I'll finish this portion of the debate from me this evening, just to show you the 1998 Essex County Health Service Restructuring Report. There were many people who had many complaints about this report, which came on the heels of the win-win that was developed by Windsorites themselves back in 1994. Even though there were measures in this final report of restructuring, woefully inadequate in terms of capital, operating, investments in home care etc, even if we could see that this level of support was there, we would have to step back and say, "At least we're going in the right direction." Instead, since this government came into power, my own community has moved from four hospitals to two hospitals. We've had cuts across the board in our hospitals and we have not had the necessary investments in home care.

Overriding all of this is the lack of the necessary medical personnel. Tonight I spoke specifically of physicians, but we have personnel issues across the board, including lab technicians, technicians that operate our diagnostic equipment. We have a tremendous drain in our Windsor community of people who choose to go to the US, whose hospitals and HMOs bring the shuttle bus over the bridge or the tunnel to pick up our Windsorites and bring them back to the US to work for the day. These are the kinds of jobs they have that entice them by, "Bring your friend to work at a Detroit hospital and you'll get \$5,000." These are the conditions in the Windsor area that our personnel work in. Because we have such a crisis, it means I expect the government is going to respond in kind and come up with very dramatic measures, some of which I've mentioned tonight, so we can find real solutions in a timely fashion for Windsor people.

**Ms Shelley Martel (Nickel Belt):** It's a pleasure for me to participate in the debate on supply this evening. I think what I'm going to do is focus on some health issues that are particularly important to me. I had an opportunity last week during the budget debate to speak about a number of issues and I touched on health as well. But there are three I would like to focus on this evening, and all three are ones I've been dealing with for some time now, that I have a particular interest in, that I have been raising with this government to try to convince it of the need to move forward on these issues.

The first issue has to do with meningitis. On June 13 I introduced a bill called the Michael Maxwell bill, which in essence would provide a province-wide immunization program against meningitis C. In the gallery that day were two people, Gregg and Bernadette Maxwell, father and mother of Michael Maxwell, age 17, who died on March 14 from meningitis C. These two wonderful people have enormous courage, because from that point on they have made it their goal to try to convince this government to have a province-wide immunization program so no other Ontario family ever again would suffer the tragedy this family has.



Michael developed flu-like symptoms on March 14. He stayed home from school. His flu-like symptoms got worse and worse. His parents didn't know what to do. They admitted him to hospital. He was transferred to ICU later that night, and 24 hours after he was admitted to hospital, he died of meningitis.

There was no reason for Michael to have died. There is a vaccine in this province against meningitis C. The Maxwell family didn't know anything about the vaccination for meningitis C. I submit to you that the Maxwell family is not alone. If you go into your doctor's office and look at the pamphlets that are available, as I did in our family doctor's office, there isn't anything available about meningitis C. There is no public information or information to families to say there is a vaccine available. There is nothing to warn parents about the terrible consequences of meningitis C, the most terrible of which, in this case, was the death of this young man.

The other serious problem is that the vaccine is not covered. Some private insurance plans would cover it; most do not. Our plan, for example, does not, as I found out when I made arrangements to have our children vaccinated. The cost was \$113 apiece, which, granted, I can well afford; that's not the issue. I think there are many families for whom \$113 would be cost-prohibitive, especially if they have more than one child who needs to be vaccinated. While many people say, "What is the price you put on a life?" I remind you that the problem, and the problem was very clearly seen in the Maxwell case, is that this family had no idea a vaccination existed. They had no idea of the serious potential consequences of meningitis C. They had no friends, acquaintances or other people in the community who had ever come in contact with it and they didn't appreciate how serious it was. Hence, they never moved forward to even search out a vaccine before this could happen and to pay for it and to have it done.

It was actually last July, though, that our party began raising this issue. At that time, early in July, my colleague Marilyn Churley came forward and called on the Conservative government to roll out a province-wide vaccination program. We did that because our neighbouring jurisdiction of Quebec had just made some very public announcements about their province-wide meningitis campaign, which effectively offers free vaccinations to children from as young as age two up to age 20. That program, according to their own government, which started in the fall last year, would prevent about 180 cases of meningitis and save at least 25. The important point is that Quebec recognized that meningitis is growing in that province, it's not declining. They had 65 people who were infected last year. Recognizing that this is a serious public health issue, they moved to a province-wide campaign.

**2000**

Not long after that, the province of Alberta did the same thing, and their program deals with people under age 24. They targeted first that teenage and young adolescent population, and when they started to do those

vaccines for students, who obviously had never been vaccinated, they did that part of the project first and are now working on the younger-aged children. They will make this vaccination program a routine part of infant vaccinations.

Last year we wrote an open letter to the then Premier, Mike Harris. We talked about Alberta and Quebec and encouraged Ontario to consider this, and in September we held a press conference here with a doctor who is renowned in terms of his work with meningitis. My leader, Howard Hampton, was pleased to participate in a press conference calling on the government to adopt a province-wide immunization program with Dr Ron Gold. He is professor emeritus of paediatrics at the faculty of medicine at the University of Toronto. He is the former head of the division of infectious diseases at the Hospital for Sick Children. He is the medical adviser to the Meningitis Research Foundation of Canada. He is not someone whose credentials can be ignored. He is an expert in his field. We were thrilled, frankly, that he came to a press conference. He was very supportive. He spoke about the need to have this program to protect infants and young people and young adolescents in Ontario.

Last fall I raised this issue in the estimates with the Minister of Health. I asked him when the government would move forward on this issue. On October 23 we raised a question in this Legislature, because on that very same day a federal panel of experts publicly stated that there is a vaccination that is safe, safe even for infants who are two months old, and that governments across the country should move forward to have vaccination programs with this very safe vaccine. Again, the minister said he recognized our concern and he would look into it and, again, nothing was done.

Again, in January of this year, another open letter to the Premier and to the Minister of Health reminding the minister of what he had said in October, that he would look into this, reminding him that the National Advisory Council on Immunization had stated clearly there was a safe vaccine and encouraging him again to consider a province-wide program. We got another reply in February saying the government was still considering it at this point. I would just quote from the letter.

It says, "The implementation of a meningococcal vaccination program in which all children in Ontario would have access to this new vaccine free of charge is currently under review by the ministry. However, no decision has been made at this time and your support of this initiative is recognized and appreciated."

We had the Maxwell family at Queen's Park on April 5, before the House had even resumed, not long after Michael's death. They very vividly described publicly why a province-wide immunization program is needed, and they have certainly made it their goal. I said at that time, on April 5, that if the government didn't bring in a program, I would move a private member's bill to encourage the government to do that. That is exactly what I did on June 13, with the Maxwells in the gallery. It's a one-page bill. It's very simple. It just says that this

government will move to fund a province-wide immunization program for children aged 2 to 20 so that we can protect our youngest and most vulnerable citizens.

The minister's and this government's responses to date, regrettably, have been that this government doesn't want to unilaterally offer an immunization program. I challenge the government again tonight on this reasoning. This government was perfectly prepared to, and in fact did, move forward on a province-wide flu shot program without federal government funding. The government was quite happy to do that, and that has operated for a second year in a row. It seems to me that the government recognized the flu was a very serious public health issue. People get sick, people die. The same principle applies to meningitis. There is no reason in the world for this government to delay any longer. There is a safe vaccine. It is easily produced. The results are very clear and positive. Two other provincial jurisdictions have gone forward, independent of federal funding, to establish a province-wide immunization program, and Ontario should do the same.

I notice that this government has now written to the federal government describing the benefits of an immunization campaign and asking Ottawa to cost-share. I appreciate that this government has done that, but I am imploring this government to move forward on this issue. Sixty-five people in Ontario were affected with meningitis last year; eight died last year and one has died this year. His name was Michael Maxwell, in whose name my bill stands. There is a way to deal with this. There is a way to protect our youngest citizens. I say to the government, do as you have done with respect to your campaign on the flu shot: fund a province-wide program now, make meningitis immunization a part of regular vaccination programs for infants through to young adulthood, and let us do what we can and what we must do to protect young people.

The second issue I want to raise tonight has to do with a patients' bill of rights. I was frankly astonished that in the budget it appeared that the government had spent \$4 million to develop a patients' bill of rights. I have to ask, where is it? Who does it exist for? I've never seen it. I've never heard this government talk about it, but the budget clearly shows the government spent \$4 million last year to develop it. Well, bring it forward. As far as I'm aware, as far as I'm concerned, there isn't a patients' bill of rights that exists in this province, which was why I brought forward a private member's bill, the Tommy Douglas Act (Patients' Bill of Rights), which was debated in this House earlier this spring, to try and get the government to live up to a commitment it made not just last year but that was made by the former Minister of Health as early as 1997.

I know the former Minister of Health, Ms Witmer, was at a conference sponsored by the Ontario Nurses' Association and the Registered Nurses Association of Ontario, and at that time she told all of the delegates she intended to present a patients' bill of rights. That promise was repeated in 1998 just after my colleague Marion

Boyd introduced Bill 50, which was the patients' bill of rights, almost identical to the patients' bill of rights that I introduced this year. That promise was repeated again by the government in its 1999 election platform, repeated again in the 1999 throne speech and budget, repeated one more time—well, two more times actually, in the 2000 throne speech and the 2000 budget. In fact, in the 2000 budget the government announced it would spend \$10 million that year to implement a patients' bill of rights. We don't have a patients' bill of rights. The government may have spent \$4 million. I have no idea what they spent it on, but it certainly wasn't on a patients' bill of rights, because none exists in Ontario, which is why I brought forward the Tommy Douglas Act (Patients' Bill of Rights).

I think that in the heat of the debate that goes on right now with respect to medicare, a debate that continues to grow, especially in light of the work Mr Romanow is doing, our idea, which is to bring forward a patients' bill of rights, is one that is gaining currency. We need to refocus the health care system on to patients and their families. That's where the focus belongs. As a result, the patients' bill of rights would do a number of things, and I want to take just a moment to give people who are watching some of the ideas of the provisions of the bill.

First of all, the bill makes it clear that the Canada Health Act, which currently now really only extends to cover hospitals and doctors' offices, would cover the long-term-care sector and community health. When I talk about the long-term-care sector, I mean community-based care and also institutional or facility care. The extension of the Canada Health Act would then recognize the objectives of health care policy and that they apply to every stage of life and across every sector of the health care system.

Secondly, the bill codifies in law what Ontarians should and could expect from their health care system. The most important of those provisions—and there are a large number of them, probably 10—is the right of patients to receive all necessary health care services in a system that is accessible, universal, comprehensive, publicly funded and publicly administered, one that ensures timely treatment, one that ensures choice of treatments, and one that recognizes that every provider of a health care service is a valued member of an interdisciplinary team, and, finally, one that does not permit income to determine people's access to health care services.

#### 2010

There is a broad range of other rights that are provided in the patients' bill of rights section of that bill, but those are the ones that are key, especially that services will be publicly funded and publicly administered. Because I firmly believe that people support medicare in this province; they support it overwhelmingly. They want more services covered by medicare, and they are not interested in the private sector offering health care services, because they know that those dollars that should go into patient care will then be diverted into profits for the for-profit deliverers of that care.



Second, there is a provision for a health care standards commissioner to be established in the same way as this assembly establishes other officers, like the Provincial Auditor and the Ombudsman, and it would be the responsibility of that commissioner to develop health care standards and best practices right across the health care system. It would also be the responsibility of that commissioner to establish a complaints process so that people who believe their patients' bill of rights has been violated or the standards of care have not been met can have an independent process to have their grievances aired and dealt with. That commissioner would have the responsibility to report every year to this assembly with a report that outlines what the grievances were that he or she has heard and make recommendations as well for changes both in health care law and health care policy.

The final section was one that referred to whistleblowing, and that is aimed at allowing health care providers to come forward when they know the system is failing both patients and their families, and to be able to come forward without a fear of reprisal from their employer, be it that they fear being suspended or, frankly, fear being terminated. It would be the responsibility of the health care commissioner to establish that whistleblower protection to ensure that there was a mechanism for those providers to come forward to talk about abuses and to make sure that in doing so they are not intimidated or lose their job as a consequence.

Speaker, the government voted in favour of the bill in principle and then defeated it going to committee. I regret that the government did that because if the government had something better to offer then I might understand the situation. But we have been waiting since 1997 for this government to come forward with a patients' bill of rights, and the government has done nothing, absolutely nothing, despite promises year in, year out and despite some announcement in the budget that \$4 million had been spent on a patients' bill of rights, one that doesn't exist.

I would have been very happy, in the absence of a government bill over at least five years, for the government to have referred this to committee and to work with the bill that I had brought forward. I'm sure there could be changes. I would have welcomed public hearings so that any number of stakeholders would have had an opportunity to come forward and have their say, to talk about what should be added, what should be amended. But despite agreement in principle, the government then voted in a majority to block it from going any further. I think that speaks volumes to the government's lack of commitment to a patients' bill of rights. The government itself has done nothing on this issue since 1997, when Ms Witmer first promised something, and the government then secondly refused to work with a bill that I brought forward that could have formed the basis for a protection that I think all Ontarians need and that all Ontarians are looking for right now.

I say to the government, I will watch with interest, trying to determine from the Minister of Health where the

\$4 million for the patients' bill of rights was actually spent, because the bill of rights doesn't exist. I would say to the government, since you haven't done anything, you should move forward on my bill and hopefully we will have something that all of us can be proud of.

Finally, I just want to deal briefly with an issue I raised in this Legislature this week, and that has to do with autism and treatment for families who are on huge waiting lists across this province for intervention that will help their children.

The fact is that we now have a proven treatment for what is a neurological illness. It is a most recent treatment and there is a great deal of work that has been done to demonstrate that it is proven, should be implemented and should be effective for children. That treatment is called intensive behavioural intervention.

The problem is that this province has set up a program which stops offering that treatment after the age of six. This province has set up a program that does not meet the needs of children who have autism. A most recent OHIP study has shown that one in 500 Ontario children has autism. That's a huge number and it's a number that's growing. That is a number that we should all be extremely concerned about, because the fact of the matter is that if we don't deal proactively and effectively with children who have autism, those kids will never make it. If they even end up in the school system, they will end up dropping out because they don't have the special aides needed to help them. Most of them will never make it to school. Many of them will end up in a group home or institutionalized. But this treatment, which is effective, is really turning around the lives of those children.

There were dozens and dozens of families who came here on Monday, most of whose children are sitting on a waiting list—a number of parents who have been sitting on a waiting list for over two years now, and many of those children at age five, knowing full well they might get a bit of treatment before the child turns six and they will lose that treatment altogether.

The minister said the experts have told this government that the most effective treatment is before six, and that seems to be the reason why the government cuts off treatment at six. I'm sure the experts did say that the most effective treatment starts before age six. I highly doubt that any single one of those experts said that after six there is no reason to have that service at all. It's like cancer treatment. If you intervene early enough, obviously you are going to have much better results. It's the same with IBI. Many of those children, even starting IBI at age five, if they could continue that to seven or eight, would have a normal life, would be able to operate normally and independently in the community and would not be a burden on society, which is what their parents are most concerned with.

I urge the government to recognize that the numbers of autistic children are growing phenomenally, by leaps and bounds. We need to deal with that. But I also say to the government that this is a neurological illness. It should not receive program funding from the Ministry of

Community, Family and Children's Services. We should recognize it as a medical issue. We should treat it as medically necessary treatment and we should cover the costs of this treatment through OHIP, because for these families, if they don't get government support, it is cost-prohibitive for them to pay for treatment. For many families the intensive treatment costs over \$50,000 a year, and they don't have that kind of money. If we want to deal with an illness that is growing, that is very serious, this government has to recognize this as a medical issue and fund treatment through OHIP.

**Mr Alvin Curling (Scarborough-Rouge River):** I want to say how appreciative I am to have this opportunity to speak on this interim supply bill. But before I do, it's good to give some background on Scarborough-Rouge River, that wonderful riding I represent, those people who feel so denied of the process and who feel so neglected of some of the things that have not been coming to them after we have had such a great boom in our economy. Sometimes you hear this government praise the fact that the economic boom has been all due to them, and then when they bring forward this budget they complain that there is a downgrading or there is not as much revenue coming in as they thought. My riding is hearing that the fault of this is because of September 11 and the federal government. They are utterly confused. They see an enormous amount of money going, tax cuts given to Tory friends on Bay Street, and yet the need of Scarborough-Rouge River is not addressed. So they are pretty concerned.

The individuals I represent are wonderful people. They have great confidence in the democratic process. Even though many times we are here in this House and they would like me to stand up on many occasions, Mr Speaker—and I know many times your frustration is reflected in your face as you see that I'm not able to speak for an hour or so here because of all these rules, regulations and closure motions that are stifling the democratic process, stifling the fact that they have elected someone to bring forward their concern, and that the free and easy expression of what their needs are is being snuffed by this Conservative government that's supposed to represent the democratic process.

2020

It's rather interesting that they said to me, "Isn't this the same government that Mike Harris had?" Because they're hearing some different noises going on. What they're hearing is that there's a fellow called Ernie Eves who's the new Premier. They asked me if that is the same Ernie Eves who had the knife of cuts to them, who was then the Treasurer. They said, "Is it that he changed his title but will proceed in the same manner as this very heartless government who looked on welfare recipients and cut their income, who looked at affordable housing and did not see it as a priority for them when there is a great need? Is this the same Conservative government?" I said to them, "It is the same Conservative government. They have changed the leader, shuffled the deck around a bit and put in Ernie Eves, who's now the Premier, with the same Common Sense Revolution they had."

The fact is that this Common Sense Revolution has caused a lot of bleeding of the poor people and those who are in need, the people who need the protection of the government and who need to feel that, when things are good, they will look after those who are most in need. But a Conservative government like this, the needs they see are those on Bay Street. They felt, "These individuals should not be paying any more money in taxes, so we'll give them a break."

They also asked me, "Is this the same government that got \$2 billion from the federal government and didn't know they were getting it, and they are fiscally responsible people?" I myself was rather shocked to know each day, as they complain as to the cause why they're not progressing and looking after those most in need in our country and our province, the fact is that the federal government was giving \$2 billion to this fiscally responsible government and it didn't even know it. My feeling was that no, this couldn't be so, but they also admitted to the fact that they were completely irresponsible.

They asked me if this is the same government who, when they found out that some welfare recipients had got some money erroneously, were being charged and sent to jail, some of them, for getting this money—maybe \$200 or \$5,000 extra. They had to be accountable. "Is this the same government that got \$2 billion and is saying, 'We won't pay it back'?" I said, "Yes, it is the same government, the same Conservative government led by the same individual with a knife who now is handing the knife over to Janet Ecker, the Treasurer, telling her what to do and then saying, 'My hands are clean.'"

"Is that the same government that is carrying out some of the proposals of which Dalton McGuinty of the Liberal Party said, 'This is the way to go'?" He said, "You know, I could call an election right away, and then maybe—but I can't risk that, because if I do that, I may lose."

"Is this the same government," they're saying, "that in fact has done such harm to this country and is now saying, 'We have one more year to go. Well, do you know what? I will delay this and I will implement many of the things the Liberals were saying, because by the time it comes around for next year, the people may think we're Liberals and elect us.'" They said to me, "Tell them we know what they're doing and they will not be elected because they are not being responsible for those who need it most in our province, for those who are concerned and are looking for a government that should be supporting them." They asked me to tell you that, Mr Speaker. I know you'll relay it all to the Conservative government, Ernie Eves and Janet Ecker, who is the Treasurer today.

**Mr Lalonde:** Let me say that I'm delighted to speak in the interim supply debate tonight. I was listening to the member for Northumberland a little while ago. He was saying that we in Ontario have created over 50% of the 893,000 jobs that were created, definitely at a low or minimum salary. If you look at the average revenue per



family in 2002 compared to 1999, you would see a big difference. The revenue is quite a bit lower.

This interim supply bill covers only six months. I just hope we will be back before the six months end on December 31, because the last time we adjourned, we were away for five months and nothing was done in this chamber.

Let me speak a little bit about the budget that was presented last week. I was looking at the francophone affairs budget, and the former chief of cabinet, the former minister, wrote a letter in the Ottawa paper this morning saying that I should look at my figures and get the information before I make a statement. But let me tell you, I have them for 2000-01, 2001-02 and 2002-03. There are figures in there showing that there is money available for French services.

I had a meeting this morning. I was saying that, yes, it's probably true that you had money in there for the Francophonie games in Ottawa last year.

**Mr John Gerretsen (Kingston and the Islands):** Franco-Ontarian Games.

**Mr Lalonde:** No, they were not the Franco-Ontarian Games. They were the games for francophones from all the countries on this planet.

**M. Sean G. Conway (Renfrew-Nipissing-Pembroke):** Les Jeux de la Francophonie.

**M. Lalonde:** Les Jeux de la Francophonie. C'est bien ça. The francophone games; exactly.

There was apparently \$3 million: \$1 million from two years ago and \$1.9 million from last year. We could have kept the same budget. I was telling the minister this morning that people from outside the province come to Ontario and they don't know that right here in Toronto they could be greeted in French. There are 110,000 francophones right here in the GTA. So we could turn around and publicize that we could give them the services, and this would attract additional visitors and tourism to the city of Toronto. There are over two million francophones who come from France every year to Ontario but very few stop in Toronto. They go directly to Niagara Falls because they think they won't be served in French here.

Also, I wish we could have money in there. I fully agree that those employees have to be paid. We're getting super services from the employees we have, so we have to continue paying them. But I thought we would also get money for some special programs.

At the present time there is no money in the budget for cleaning up the mess we have in Hawkesbury, this lagoon that was left by the CRP and then after that was purchased by MNR. The cost to clean up this mess is going to be \$65 million and there is no money in the budget for that.

I wish I could speak longer on this but I have to give a chance to my friend the member from Renfrew-Nipissing-Pembroke.

**The Acting Speaker:** Further debate?

**Mr Conway:** Well, such as we have. We sit about six weeks of the year now but we sit 24 hours a day, so this

is a very interesting opportunity. We all get three and a half minutes to talk about a variety of things, but I guess that's the new—

*Interjection.*

**Mr Conway:** I'm sorry. But there is an old maxim in parliamentary government that there will be no grant of supply without a redress of grievance. I want to take the brief time allowed me tonight in the supply debate to raise a couple of issues and I'm pleased that my colleagues and neighbours—the Minister of Transportation, Mr Sterling, is with us this evening, as is the Associate Minister of Municipal Affairs, as we would say in rural Ontario, Mr Coburn—are here as well.

I represent a community that is largely rural, small town and small city. There are two particular issues that my communities in the Ottawa Valley are expressing more and more concern about.

Let me talk first about the transportation issue. We were all pleased to see about four weeks ago the silver jubilarian, Mr Sterling, on some kind of construction equipment, announcing the next phase of the four-laning of Highway 17 in the Ottawa-Arnprior area.

**2030**

Let me say to the minister that this was good news. We want to encourage our friend the minister, the member for Lanark-Carleton, to bring as much pressure as he can to bear on his caucus colleagues to see that the provincial highway system in eastern Ontario attracts as much of the available capital dollars that we possibly can manage, not only to continue the four-laning of Highway 17 west of its current projected terminus, which is Arnprior, by the year 2005, I gather. Minister, is that the latest number?

**Hon Mr Sterling:** Sorry?

**Mr Conway:** The point I want to make is that it was in the famous provincial election campaign of June 1999—I well remember the day—that his predecessor, Mr Clement, appeared at Arnprior in a torrential downpour a day or so before ballots began to be cast. Mr Clement, in fine style, with our good friend Leo Jordan at his elbow, said, "Now, listen, you re-elect the Harris government and we're going to have this Highway 17 four-laned to Arnprior by not later than late 2003, early 2004."

**Hon Mr Sterling:** I don't remember the exact date.

**Mr Conway:** He doesn't remember the exact date, and I understand that perhaps as time moves on, Mr Sterling's memory may be, like mine, not quite as acute.

**Mr Garry J. Guzzo (Ottawa West-Nepean):** Who knew September 11 was going to happen?

**Mr Conway:** I will talk a little bit about September 11 in a moment. But the fact of the matter is, there are few things that are as important to my constituents and my business community in the upper Ottawa Valley than improving and four-laning Highway 17 through the upper Ottawa Valley. We appreciate what's been done to date, but we do note that the completion of the four-laning to Arnprior seems to have slipped a bit.

I just want to say to the minister, keep up the pressure and we want to see that four-laning not just to Arnprior

but westward to Renfrew and beyond. We know it can't happen overnight.

**Hon Mr Coburn:** And we need it to Navan.

**Mr Conway:** My friend from Orléans says, "And we need it to Navan."

I noticed in the most recent budget that again this coming year we plan to take from the motoring public, including business, about \$3.85 billion worth of road-related revenues, taxes—\$2.2 billion in the gas tax, about \$600 million in the fuel tax and about \$900 million in motor vehicle registration fees. That adds up, I think, to about \$3.8 billion, a few hundred million short of \$4 billion. I'm one of those people who believes that a very large portion, particularly the gas tax, should be applied to the purposes intended, which were namely and principally the maintenance and the expansion of our provincial highway system.

In Renfrew-Nipissing-Pembroke it's not just about Highway 17 and four-laning it to and beyond Arnprior. It's also about the obviously deteriorating condition of Highway 60 from Renfrew to Whitney, some of which has been rebuilt in recent times in the Whitney area, but we certainly have to do more and do it sooner than later. Highway 41 in the Dacre, Griffith and Denbigh corridor is in very serious condition, and I understand the minister may have some good news on that subject at some early point. My residential constituents, the farmers and certainly business people, drive those highways in areas like the Dacre-Denbigh corridor. And certainly in the Highway 60 corridor, which is the Algonquin Park highway, it is obvious that those provincial highways need some attention and need some upgrading and some refurbishment. We want our share of the provincial dollars for that.

I point out that in the first mandate of the Harris government, in southeastern Ontario fully 50% of the old provincial highway system was downloaded to local government, an astonishing percentage actually. Almost 50% of the old provincial highway system in eastern Ontario was transferred from the province to local government. That means that the remaining provincial network is much smaller in terms of kilometrage. Presumably we have, then, more money to spend on fewer highways. I know the cost of construction is escalating, but I just want to say to my friend Mr Sterling that we appreciate what you announced a month ago. We know you are the senior member of the government caucus. We know you reside in the Kanata area. We know you have a keen interest in matters of eastern Ontario economic activity and public safety. Highways 17, 60 and 41 are extremely important priorities for my constituents, as I know they are for many of his. We want to see as much money spent on those provincial highways as is reasonably possible in the next little while.

The second part of this matter of interest to my municipalities is, boy, did we end up with a lot of downloaded services. Mr Beaubien is here. I'm happy he's listening to Mr Coburn. In Renfrew county approximately 40% of the land base is owned by Her Majesty in right of the govern-

ment of Ontario. There is a huge percentage of crown land, particularly in southwestern and southern Renfrew county, along that Highway 60 corridor. I've got townships and municipalities where 50%, 60% or 70% of the land base is provincially owned. In fact, in much of that area in south-central, southwestern and southern Renfrew county, as is the case in North Addington, North Hastings and part of Haliburton, we have a very substantial system of what had previously been the 500 series of provincial highways that were downloaded to the counties of Renfrew, Hastings, Lennox and Addington.

There is little tax base in counties like Renfrew to sustain and maintain over time what we were given, which was about 250 kilometres of what had previously been provincial highways, along with 50 or 60 bridges and bridge-like structures. Yes, it is true that when that transfer was made, we got something like \$7 million or \$8 million as a one-time cash payment to assist with that. But that is, as you will know, Mr Speaker, from your experience in Perth county, not a great deal of money when to replace a bridge today over a modest river or waterway can cost at least \$1 million and in some cases substantially more than that.

Mr Sterling, Mr Coburn and Mr Beaubien, I say to you, on behalf of the municipal communities in Renfrew county, we have to find a way to provide more meaningful and significant support to municipal government in areas like Renfrew county to pay over time for very expensive downloaded highways and bridges, particularly in those areas of Renfrew county where the land base is substantially owned by the Ontario government. It's not an issue to the same degree in those parts of my county where the land tenure is much more traditional southern Ontario. But I repeat, along that Highway 60 corridor and westward the county has all kinds of what had previously been provincial highways—and bridges—most of it running through crown land. The provincial government understandably is actively developing its timber resources on that land, over highways that local folks are supposed to pay for. Whether the reeve's name is Conway, Beaubien or Duncan, he or she is sitting there saying, "How the hell am I going to do this?"

We had a case not too long ago where the crown is actively developing timber resources down in the municipality of Greater Madawaska. I'm told by area residents that several kilometres of the Matawatchan Road has been pounded into a terrible condition by log trucks that are hauling crown timber resources off publicly owned lands to sawmills outside the immediate municipal region; and the bill for the road repair doesn't go to the Ministry of Natural Resources or the Ontario government, it goes to local property taxpayers—farmers and other homeowners in that part of the old Griffith and Matawatchan townships. It's simply not fair. In conclusion, we have to find a way to assist these rural municipalities in areas like the Ottawa Valley—Renfrew county—where the downloaded services, particularly things like provincial highways and bridges, have brought a very real, and quite frankly unsustainable,



pressure on property taxes in a way that's simply not fair. I yield the floor, Mr Speaker.

**The Acting Speaker:** Further debate?

Is it the pleasure of the House the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 2041 to 2051.*

**The Acting Speaker:** All those in favour will please rise one at a time and be counted by the Clerk.

#### Ayes

Amott, Ted	Flaherty, Jim	Molinari, Tina R.
Baird, John R.	Galt, Doug	Munro, Julia
Barrett, Toby	Gerretsen, John	Murdoch, Bill
Bartolucci, Rick	Gilchrist, Steve	Mushinski, Marilyn
Beaubien, Marcel	Gill, Raminder	Newman, Dan
Chudleigh, Ted	Gravelle, Michael	O'Toole, John
Clark, Brad	Guzzo, Garry J.	Runciman, Robert W.
Clement, Tony	Hardeman, Ernie	Sampson, Rob
Coburn, Brian	Hastings, John	Spina, Joseph
Conway, Sean G.	Hudak, Tim	Sterling, Norman W.
Cordiano, Joseph	Jackson, Cameron	Stockwell, Chris
Cunningham, Dianne	Klees, Frank	Tascona, Joseph N.
Curling, Alvin	Lalonde, Jean-Marc	Tumbull, David
DeFaria, Carl	Levac, David	Wettlaufer, Wayne
Duncan, Dwight	Marland, Margaret	Wilson, Jim
Dunlop, Garfield	Martiniuk, Gerry	Witmer, Elizabeth
Ecker, Janet	Mazzilli, Frank	Wood, Bob
Elliott, Brenda	McDonald, AL	Young, David
Eves, Ernie	Miller, Norm	

**The Acting Speaker:** All those opposed will please rise one at a time and be counted by the Clerk.

#### Nays

Bisson, Gilles	Marchese, Rosario	Martin, Tony
Hampton, Howard	Martel, Shelley	

**Clerk Assistant (Ms Deborah Deller):** The ayes are 56; the nays are 5.

**The Acting Speaker:** I declare the motion carried.

### EMERGENCY READINESS ACT, 2002

#### LOI DE 2002

#### SUR L'ÉTAT DE PRÉPARATION AUX SITUATIONS D'URGENCE

Mr Runciman moved second reading of the following bill:

Bill 148, An Act to provide for declarations of death in certain circumstances and to amend the Emergency Plans Act / Projet de loi 148, Loi prévoyant la déclaration de décès dans certaines circonstances et modifiant la Loi sur les mesures d'urgence.

**The Acting Speaker (Mr Bert Johnson):** The Chair recognizes the Minister of Public Safety and Security.

*Applause.*

**Hon Robert W. Runciman (Minister of Public Safety and Security):** I'm only moving the bill at this point. Wait for my speech later.

**The Acting Speaker:** The Chair recognizes the government House leader and Minister of Energy and the Minister of Environment on a point of order.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** Mr Speaker, may I seek unanimous consent of the House to pass second and third readings of Bill 148 tonight?

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: In an effort to assist the member from Durham, I seek unanimous consent to pass government Bill 68, dealing with Durham College.

**The Acting Speaker:** Mr Duncan has requested unanimous consent. Is there consent? I'm afraid there is not consent.

*Interjection.*

**The Acting Speaker:** No, there was no consent.

Mr Runciman has moved second reading of Bill 148, and we are ready for debate. The Chair recognizes the Minister of Public Safety and Security.

**Hon Mr Runciman:** Thank you, Mr Speaker, and I won't take the departure of so many of my friends and colleagues personally.

I do appreciate this opportunity to speak to this important piece of legislation. It's important in retrospect, in the wake of the terrible events of September 11. I think everyone, people throughout the world, questioned whether their governments had the ability to deal with emergencies when we looked at what happened in New York City and Washington—the Pentagon in Washington and the World Trade Center in New York City.

I have to say, in terms of first reactions to these enormous tragedies, these attacks on the free world, that our government, the province of Ontario, at the time led by Premier Michael Harris, waited for a number of days—I think it was two days—for a response or reaction from the federal Liberal government. What was Canada's reaction going to be to this terrible attack on the free peoples of the world?

There was no response forthcoming. We waited and waited and waited. The first government in the country of Canada to react to this terrible attack on the free world was the government of the province of Ontario, led by Premier Michael Harris. We are very, very proud of that response, that reaction by our government. This is an accurate—

*Interjection.*

2100

**Hon Mr Runciman:** The member from Windsor is questioning the validity of my response, but I'll ask him to check the record. Check when Prime Minister Chrétien actually did respond to these attacks. I think that's been one of the criticisms of the Paul Martin supporters in the Liberal Party: the reluctance to respond in a timely way to an attack on not just what the United States believes in but what all free peoples of the world believe in.

As I indicated, our government took immediate and concrete action to ensure that this province and all its communities are prepared for emergencies, whether they're of a natural or human cause. We made an on-

going commitment to improve Ontario's counterterrorism and emergency management capabilities. We added both human and financial resources to improve our emergency preparedness.

I want to run over a few of the things that happened in the wake of September 11: we doubled our emergency management budget, we provided better training for firefighters and others who are first on the scene at emergencies, we worked with the owners and operators of large buildings to develop evacuation procedures, we are developing more specialized forensic capacity at the Centre for Forensic Sciences and the Office of the Chief Coroner, we are establishing a new alternative backup provincial operations centre for Emergency Measures Ontario and we are developing volunteer civilian emergency response teams.

If this legislation is passed—and given my conversations with both opposition parties, I'm optimistic that it will pass—the new Emergency Readiness Act will build on that solid foundation. It will increase the ability of the province and its municipalities to deal with emergencies. The new Emergency Readiness Act is an important step in our government's ongoing efforts to ensure the safety and security of all Ontarians.

To begin with, the act changes the name of Emergency Measures Ontario to Emergency Management Ontario. This will better reflect the decisive role the organization plays. The director of Emergency Measures of Ontario will become the chief of Emergency Management Ontario.

We cannot afford to handle emergency planning in a piecemeal manner. It's critical to have one individual with expert credentials overseeing all the work we're doing in this area. The new chief will be responsible for monitoring, coordinating and assisting in the formulation of emergency plans. Those plans will then be submitted to the chief of EMO for safekeeping. Under the new act, all municipalities will be required to develop and implement emergency management programs. Municipal workers will be required to receive training and participate in mock exercises to prepare for actual emergencies.

As we learn from watching our neighbours to the south, the impact of efficient front-line response is absolutely crucial in times of disaster. We're setting a new bar in Ontario to ensure our front-line police officers, firefighters, ambulance workers and other emergency workers are better prepared for the new realities they face.

At the same time, we must set higher standards to ensure the public is informed about what we do during a crisis. That's why this bill requires municipalities to conduct public education campaigns. We want to make sure that citizens across Ontario are aware of risks to public safety and are prepared for emergencies. Our government believes all Ontarians have a right to feel safe and a right to know what their government is doing to protect them.

Having a well-constructed plan, knowledgeable and trained responders and an educated and prepared public is only part of our strategy. Under our act, municipalities will be required to look within their borders to assess

hazards and risks to public safety, and identify those that could be vulnerable to attack or other risks.

We have consulted with our municipal partners in developing this bill, and I'm pleased to say they are onside and ready to co-operate in the interests of public safety. When this bill was introduced on December 6 last year, Anne Mulvale, president of the Association of Municipalities of Ontario said, "Municipal leaders are committed to ensuring that their emergency plans work and that emergency services are ready to respond. We will continue to work with the province to enhance community safety for all Ontarians."

That's the kind of commitment and dedication this government is looking for. With matching endorsements from the members opposite, we can make the Emergency Readiness Act a reality.

Although I have only spoken of what the government is requiring of municipalities, let me assure the House that we are placing the same obligations on the province as well. We will require key ministries with responsibilities in these areas and every designated agency, board and commission to develop an emergency management plan, train crown employees, conduct exercises, educate workers and assess risks.

We learned many lessons from the events of September 11, and one of the most important was the need, first and foremost, to get help to victims as quickly as possible: physical, emotional and financial help. That's why this bill empowers the Lieutenant Governor, on the recommendation of the Attorney General, to temporarily suspend legislation during an emergency, whether or not an emergency has been formally declared. I want to assure the House that this step would only be taken if, in the opinion of the Lieutenant Governor in Council, the temporary suspension of legislation would facilitate the delivery of assistance to victims or help victims and the public deal with the emergency and its aftermath.

This legislation also amends the Declarations of Death Act. If passed, the act will streamline the process for obtaining a court order declaring a person to be deceased. It can be used in circumstances where a person is presumed to be dead but no physical evidence of death can be located. The Declarations of Death Act allows a single application to be brought for all legal purposes. It replaces the requirement for separate court proceedings for each specific legal purpose, such as probating a will, claiming life insurance or remarrying. This will significantly ease the burden on those who have lost loved ones in a tragedy.

Let me say that this government is working hard to make sure our citizens are safe, but we can't do it alone. This legislation will help municipalities fulfill their role in safeguarding public safety more effectively. By working together, we can and are making Ontario a safer place to live, work and raise a family.

Finally, in conclusion, I want to encourage the members opposite to give serious consideration to giving not only second but third reading to this legislation. The anniversary of September 11 is fast approaching. I think



it would be a real tragedy if this government, this province, this Legislature, this assembly had not dealt with this legislation prior to the anniversary date of that enormous attack on the United States of America, on the free world.

I have spoken to the critics of both parties. The Liberal Party has indicated their willingness to pass this legislation. Regrettably, the third party, the NDP, has indicated that at this stage, at this point, they are not willing to allow this bill to receive third reading.

I want to indicate this evening, in the strongest possible terms, that we do not play politics with this kind of issue. We're talking about having the ability to respond not only to the potential of an attack on this country, an attack on this continent, but any other tragedy that may occur, any other man-made or non-man-made disaster that may occur.

I want to encourage, I want to implore the third party to give this very serious consideration. If we do not give this bill third reading either tonight or tomorrow evening, we will reach the anniversary date of September 11 without dealing in an effective manner with our way to cope with emergencies in the province of Ontario. I'm placing this on the conscience, I guess, of the members of the third party to ensure that we can have passage of this bill before we adjourn for the summer.

2110

**The Acting Speaker (Ms Marilyn Mushinski):** Questions and comments? The member for Sudbury.

**Mr Rick Bartolucci (Sudbury):** Thank you, Madam Speaker. It's good to see you in the chair this evening.

I'd like to respond to the comments made by the Minister of Public Safety. We all have our tragic September 11 stories. I think of my wife's cousin, who is a fire captain in New York City. He lost 52 of his best friends. In the first two weeks, he was a pallbearer 13 times. In speaking to him, the tragedy was so vivid in his speech, one can only imagine the horror and the pain that he suffered as a fire captain in New York City. So certainly we will be supporting the legislation. In fact, our leader, Dalton McGuinty, as we all know, called for this type of legislation the first day the Legislature met after September 11.

We understand that emergency measures are going to cost money and we would hope that the government would commit those adequate resources to ensure that there is proper emergency preparedness in place. After the downloading on to municipalities, the government has to realize that there has to be a fund set up so that we will be able to implement this plan. That's why Dalton McGuinty called for the creation of the Ontario security fund.

Listen, I agree with the Minister of Public Safety. This is one of these issues where at the end of the day we all support it. With regard to the quick passage, I could only have wished that he had introduced this for second reading two weeks ago and then we would have ensured that everyone would be onside with its passage.

**Ms Shelley Martel (Nickel Belt):** I'm going to begin by saying to the minister, if you thought you were going

to get this debated in a non-partisan way, you blew it by the last minute of your statement.

I remind you, sir, because you said it would be a tragedy if this assembly didn't deal with this legislation before the anniversary of September 11, that your government had all last fall to bring forward this legislation. This House returned on September 24 and we sat until December 12 and for most of that time we sat Monday, Tuesday and Wednesday nights as well. This was such a priority for your government that you didn't bring it forward in that time.

This House has been sitting since May 9. It is now June 26, and the first time we see this legislation is tonight at a quarter after 9. I say to you, with all due respect, if that is an example of the priority that your government places on this legislation, shame on you.

Do not point your finger at this party and say that we should pass this bill, second and third reading, tonight. We will not do that and I know my House leader has communicated that to you. We will not do that because we have serious concerns with this bill, the most important of which is: how are municipalities going to fund all the new requirements that you will force upon them? We know that municipalities are already cash-strapped with the many responsibilities you have downloaded without funding.

So I say to the minister, we think this issue is important and we wish that your government would have seen it to be so important that you would have brought it forward in the fall session so it could have been dealt with, not the night before we are due to rise, if it was that important to you to get it through.

**Mrs Margaret Marland (Mississauga South):** I would like to take a moment to commend the minister for security in this province for his foresight in bringing forth a bill whose drafting has had deliberation and thought. Believe me, if we had it brought it in right after September 11, I'm quite sure the New Democratic Party would have been the first party on their feet to say, "How do you know what's needed? How have you got all the answers? You haven't done your homework." The thing is, no matter what you do, some opposition parties are going to oppose it in principle anyway. It's beyond my wildest imagination to understand for a single, solitary second how any member in this House wouldn't want to give this important legislation second and third readings right away. The bill has been well prepared, well drafted and it should pass. I agree totally that it should pass at least by tomorrow evening, if it's not possible to pass it tonight.

The criticism of priorities is always an interesting point. When the criticism is that municipalities won't have the money, who would ever have thought for a minute how the city of New York, which was so devastated and totally destroyed by this terrible, terrible act of terrorism, could have afforded the enormity of the cost that's only just beginning? They've just completed the cleanup, but it's only the beginning of the rebuilding of that city.

I simply say to all members in this House, please vote your conscience and vote as quickly as we can for second and third readings of this terribly important piece of legislation.

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** I have just two observations about Bill 148—as my colleague Mr Bartolucci has observed, we intend to support the legislation. I would make two observations for my friend the minister.

First, I think it's timely legislation. I hope it is reviewed in some way that is satisfactory to all concerned. I am reminded, as I know the minister will be, that over four years ago we had a genuine emergency in southeastern Ontario with the famous ice storm. I remember an old friend of mine, Professor Stewart Fyfe at Queen's University, got some money, I think from the federal government, to look at how various and several organizations performed during that ice storm.

My memory of his analysis is that in his view there were some very worrisome deficiencies at that time with the operation of the old Emergency Measures Organization. It's been a while since I've talked to Stewart Fyfe about that, but I was quite struck by what his analysis found. So if for no other reason than that you lived through the ice storm in southeastern Ontario—and I accept entirely the importance of September 11—let me tell you, that was an emergency situation that would make you want to look at the relevant legislation in Ontario for this kind of situation.

Secondly, I say to the minister that in following the American political debate in the last few months, I have observed quite an interesting debate in Congress about what happened around the agencies involved with security in the United States, particularly how the FBI and the CIA behaved. What we now appear to know is that notwithstanding massive appropriations made annually by Congress, those two very well-resourced, highly regarded agencies apparently did not talk to one another. The question I have is: is the culture going to change so that does not continue to happen and frustrate effective emergency measures?

2120

**The Acting Speaker:** Response?

**Hon Mr Runciman:** I want to thank the members who contributed, especially the member for Sudbury, Mr Bartolucci. I know his interest in these kinds of issues. His comments with respect to resourcing—at this stage I can only encourage him to stay tuned. We are still working on a number of initiatives in regard to security for this province and how we can respond with our partners to any emergency that might occur in the future. But I do very much appreciate his support and his party's support.

I want to say to the member for Nickel Belt, who is seemingly offended by my comments, that I wasn't attempting to be political. I was attempting to impress upon my friends opposite that this is an extremely important piece of legislation. I know she questions the priorities with respect to when it was called. That is, I would suggest, perhaps a legitimate point to raise but not

a reason for not moving ahead with this important piece of legislation.

I feel very strongly about this, and I think you should, I think the members of the Liberal Party should, we all should. I think it would be compounding a disaster not to be in a position where this province has passed legislation so we can cope with emergencies in a more capable fashion in the future. So I would encourage you to consider it in that light, in a non-partisan vein. It is certainly not my intent to be attacking in any political vein.

**The Acting Speaker:** Further debate?

**Mr Dave Levac (Brant):** It's a pleasure and an honour, on behalf of Dalton McGuinty and the Liberal Party, to take the lead on second reading of Bill 148, the Emergency Readiness Act, 2002.

I would like to indicate to those who are interested in this debate that I'm going to try to do something rather different and unique. I'm going to outline exactly what I plan to talk about, talk about those things and do a wrap-up that explains why I'm talking about those things.

I want to talk specifically about the act, what it does and what it doesn't do. I want to talk about the changes to various acts in order that this bill will be effective, because by implementing this bill we are going to be affecting several other acts that need amendment.

I will talk about the compendium that was offered to us about the bill. There are some issues inside of that that I would like to bring to the attention of people who are listening to this debate.

I would also like to comment on previous comments made by then-Minister Turnbull on December 6, 2001, on which I myself commented to him in person.

I would also like to indicate clearly that I would like to make some proposals that need action with the introduction of this particular bill. I believe this bill is the great start we did hope for, that we are expecting and did demand from this government, as we did with every other government after the tragic events of September 11.

I would also like to talk about Bill 141, An Act to amend the Fire Protection and Prevention Act, 1997. It's actually my bill, and I provided it to the government on November 28, 2001.

I would also like to talk for a few moments on the Ontario security fund proposed by my leader, Dalton McGuinty.

I would also like to talk a little bit about the budget and its relationship to this particular bill. I want to talk to the House about costs that are involved for all levels of government in our protection and our security and in making the people of Ontario feel there is a plan in place.

I would also like to talk a little bit about what the present minister indicated to us about September 11, in particular the anniversary of September 11 coming up. We have had conversations about how our party would be willing to negotiate and discuss some of the issues we hope we would make in proposal that could be covered off in regulation and not be obstructionist in terms of the validity of this particular bill.

Indeed, we have made it clear that we will be supporting the bill, but there are issues that do need to be



brought to the front. I'm sure the minister opposite would be more than willing, and has been willing, to listen to the concerns I've brought on behalf of the party regarding Bill 148.

The bill itself is called the Emergency Readiness Act, 2002. It enacts an act that's already on the table called the Declarations of Death Act and amendments to the Emergency Plans Act. I want people to understand that there are already bills on the table. There's a law on the books that covers off declarations of death, that covers off the emergency plans that are supposed to be in place.

I will be speaking a little bit later about some of the things that are being done and not being done presently that September 11 has taught us that we must be cognizant of.

It starts off by indicating and understanding that life teaches us many lessons and it's our responsibility as individuals with some authority, and those who don't even have authority, to do the learning and what to do with those lessons that are taught to us by life itself. Let's move to the amendments to the act.

"It requires municipalities, ministers of the crown and designated agencies, boards, commissions and other branches of government to develop and implement emergency management programs consisting of emergency plans, training programs and exercises, public education and any other element prescribed by regulation" that will be introduced after the bill has final reading. "The development of emergency management programs must involve the identification and assessment of the various risks and hazards to public safety that could give rise to emergencies and identification of facilities and other elements of the infrastructure at risk from emergencies.

"The current act permits municipalities to formulate emergency plans. The amendments to the act make it mandatory..." so up until this point, before this act becomes declared, it's optional. Again, we find that "optional" word many times in a lot of legislation in this House making things optional. I introduced a bill earlier that basically says that we're not going to have optional helmet-wearing when we're riding bikes and skateboards. It shouldn't be optional.

I've also introduced a bill that makes it no longer optional but mandatory to have safety zones around schools. These individual community plans that are going to be put in place are no longer going to be optional, and we laud that. We think that's a very wise thing to do. We will be asking the minister to set out a plan that shows that funding is going to be in place to ensure that our municipalities across Ontario have the opportunity to provide a real sense of that emergency preparedness. The fact that funds are not available for whatever means by the municipality because of size, location, geography, topography—the reasons why are many—I would hope the government, and that's part of the proposal process, would be in concert with them to ensure that the particular municipality has an opportunity to make sure its public is safe.

Having done that, then that's easily supportable by everybody on all sides to ensure there's a minimum standard that's established and that those funds are available with given audits, which are very doable, to show that the municipality may or may not be able to do so, that the government of the day would step in and say, "We can assist you because that's what our priority is," to ensure safety and security, which has been said, over and over again and fully supported, is the priority. I would hope that would be very negotiable with this government and the municipalities across the province.

AMO basically said it's a good start, but what it's also saying is, "Let's make sure we continue the dialogue and ensure that you are aware there are problems in this province with some of our municipalities."

That takes care of the act itself in terms of what we're doing. I will go into some other specific details now by telling you about the changes to the various acts that are going to be required in the introduction of this bill.

2130

The present Emergency Plans Act is going to take some changes. It needs to be redefined in some areas. So that act itself is going to be changed by Bill 148. The other act that needs to be changed is the Courts of Justice Act. Inside of that is the process in which the other part of the bill that doesn't seem to get a lot of attention, but is important legally and in terms of an emergency. In New York we learned very sadly what was necessary.

The proposed Declarations of Death Act "provides a new process for obtaining a court order declaring that a person is dead, in circumstances where no physical evidence is available but it is reasonable to presume death. The proposed act will allow a single application to be brought for all legal purposes." Hence the five bills need to be modified in order for Bill 148 to be applicable and used in these cases and incidents. "Currently it is necessary to bring separate court proceedings for different purposes such as probating a will, claiming life insurance proceeds or permitting the surviving spouse to remarry."

These are the bills that need to be modified with the introduction of Bill 148. Having looked to legal counsel from this side, legal advice indicated there was nothing undue happening here, that we're basically making a process a lot faster. We can expedite the process that bereaved people have to go through when they deal with and have to face emergency circumstances that involve death where, quite frankly, it's unfortunate but unidentifiable. We have to have this process in place. What we're dealing with is the Courts of Justice Act, which requires that "where the Family Court has jurisdiction, proceedings referred to the schedule to this section, except appeals and prosecutions, shall be commenced, heard and determined in the Family Court.

"A motion for interim or other interlocutory relief in a proceeding referred to in the schedule that is required or permitted by the rules or an order of a court to be heard and determined in a part of Ontario where the Family

Court has jurisdiction shall be heard and determined in the Family Court.”

Basically what this all does is, proceedings under the following statutes’ provisions—the Change of Name Act, the Child and Family Services Act, the Children’s Law Reform Act, the Divorce Act, the Family Law Act, the Family Responsibility and Support Arrears Enforcement Act, the Marriage Act, the Reciprocal Enforcement of Support Orders Act and the Domestic Violence Protection Act—quite frankly, you can see that the introduction of Bill 148 to expedite all of that that has to take place during all of those pieces of legislation is a very wise and supportable thing that the government has done here for the sake of the bereaved who have to suffer through that particular situation when an emergency or an act of terrorism takes place.

The Insurance Act will be modified such that:

“Where an insurer receives sufficient evidence of,

“(a) the happening of the event upon which insurance money becomes payable;

“(b) the age of the person whose life is insured;

“(c) the right of the claimant to receive payment; and

“(d) the name and age of the beneficiary, if there is a beneficiary,

“it shall, within 30 days after receiving the evidence, pay the insurance money to the person entitled thereto.”

Quite frankly, that’s again another piece of legislation wisely changed to provide for Bill 148.

The Marriage Act:

“A married person whose spouse is missing and who alleges,

“(a) that his or her spouse has been continuously absent for at least seven years immediately preceding the application;”—which is already in place—

“(b) that his or her spouse has not been heard from or heard of during such period by the applicant or to the knowledge of the applicant by any other person; and

“(c) that the applicant has made reasonable inquiries and has no reason to believe that his or her spouse is living,

“may apply to a judge of the Superior Court of Justice for an order under this section.”

Again, in a case of terrorism or a catastrophe, a natural one or one caused by man, it basically says, “Please go ahead. We understand. We can’t find the evidence of that particular person, that body, but we know he was in that vicinity,” such as the horrendous lessons that September 11 has taught us.

We also have remarriage authorized and in effect of the order. Instead of reading the bill specifically, it’s very important to point out that in the sidelines there’s an awful lot of this legislation that was gone through by the government that we commend them for, having the recognition in their consultations, that the people who went through the September 11 tragedy went through, I would say respectfully, needless red tape. In this case we knew where the bodies were, we knew where the bodies were supposed to be and that declaration needed to be fast-tracked. I commend the government on that process.

The Registry Act goes through the same process and it allows for the registration and the settlement of any subscriptions during that particular time, once those declarations are made, to proceed.

It sounds boring, but I’m going through the issues that I said I would and trying to go over those concerns. I will bring shortly the proposals that the minister would be welcome to hear in terms of process—not in terms of changing the bill but basically adding to it and maybe doing some things a little differently than we have in the past in this province, not by any one party but by all parties. We need to reinvent some of the things we do in terms of our security, in terms of the people of Ontario, how we perform those functions and what comes of it next, so the things that have been done in this bill are complementary.

The compendium makes reference to the Emergency Measures Act requiring that municipalities and designated ministers undertake a risk assessment and critical infrastructure identification process in developing their emergency management programs. I would like to point out that Michael Bryant, the member from St Paul’s, brought to the attention of the House immediately upon sitting after September 11 the concern about water—the containment of water and water purification plants—particularly in his riding, because unfortunately there were some sick minds out there who did some copycat things, left some undesignated bags there to imply there was a bomb present, and he brought that concern. So in essence we were on the same wavelength in terms of what we needed to do to protect those particular facilities that were very key to our safety and our survival in the aftermath. I know the minister knows that and was appreciative of those particular comments.

Later in the debate, shortly after that, my leader, Dalton McGuinty, brought to the government the concern about nuclear power plants. It was dealt with, and hopefully we’ve now got it nailed down. We actually found out that somebody only had to ring a bell and walk over a fence and they were able to get inside the facilities. I do know that the minister is now quite aware of that, and steps were taken during that time where the minister fixed that problem and made sure it was improved upon.

So again, that co-operation where we bring things to the table and they get dealt with is very refreshing. I must say it is refreshing to know that some recommendations can be made and acted upon by this government and, I hope, any other government to come. The important point we’re talking about is safety and security and the measures we need to take in order to make that improvement.

The responsibility of the Lieutenant Governor in Council to formulate a nuclear emergency plan remains unchanged. That in itself, when I looked at it—I have a proposal, a suggestion that it might be expanded upon to the degree that we ensure that experts are brought in to ensure that maybe there are other avenues we can start to follow to make those facilities even safer. I think a



renewal program should be considered, and that it not simply be, "This is what we have, and we're going to do it," because we've also found, unfortunately, that in some cases the law might exist but we haven't checked up on it. We need some type of cyclical review, not only of the plans, not only of the facilities, but of the process that's used to keep those places safe. So we could bring in new people, we could bring in different people, to take care of that.

In the future, I would very strongly suggest, we are not going to be looking at just nuclear power. I hope we are smart enough to look forward and, as our First Nations friends tell us, do things today that plan for the seven generations in front of us. We must acknowledge there is a future use of different types of energy, beyond what we're doing presently, that we need to start to plan for. And once we do that, we're sending the message loud and clear to those people who would take advantage of the facilities we presently have that, "Not only are we going to protect our stuff today, but you need to know that we're looking into the future and we're going to have plans in place so that when you bad guys out there decide to start looking to the future, we're already going to be there." We need to send a message that we're working collectively and working brightly on what's going to happen for our people. They need to know and feel safe and secure.

I learned that not from this place; I learned that from my parents, in my home. I learned that from teaching and being in school for 23 years. My first and sole responsibility initially was the safety and security of my students; then we started talking about education. I think with this bill we have the opportunity to put the foundation in place that sends the message loud and clear that each and every one of the citizens of Ontario will be protected to the best of our ability. By doing so we still need to move forward—that's an important aspect that hopefully is going to be discussed during this debate and, when the bill passes, inside regulations to ensure we can establish that forward-looking continuum of evolution, change and improvement.

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The EMA authorizes the Solicitor General to make regulations setting standards for emergency management programs and plans. Municipalities and designated ministries must comply with these standards in developing their programs and plans.

Minister, I compliment you on that; it's the right thing to do. My question is, what happens if they don't? Is that going to be covered off in regulation? If it's not, it needs to be. They need to know what's going to happen if we find municipalities not complying for whatever reason. Is it because they can't afford it? Have they entered into discussions with you to help you come up with the support in funds needed to provide that security? If they don't do that, we need to be strong in our conviction. We need to be strong to say, because that municipality over there has not complied, that they need to know, and the rest of Ontario needs to know, that something is going to

happen if they don't, because that's how strongly we in this Legislature feel about the safety and security of the people of Ontario.

I would only hope that if any municipality in any of our members' ridings is not in compliance, the first thing that would happen would be that the member, of whatever party, sitting in this place would advise that municipality that they're not in compliance: "We're paying attention, and we're here for the safety and security of the people we represent." Maslow teaches us that we can't do anything until we take care of the bottom rung of that pyramid. That pyramid says, quite clearly, safety, security, shelter, food and love, and then we build what we can be as a society.

So with the compendium I also ask, are we talking about a dialogue with municipalities and the province to assure that funds will be made available? That's part of the compendium.

I will continue my little litany of things I said I was actually going to talk about, and we're going to stay on topic.

Previous comments made by then-Minister Turnbull on December 6, 2001: quite frankly, I had an opportunity to respond to this and told him quite clearly that we on this side of the House very well understood September 11, as did all Ontarians. We understood the pain, the tragedy, the catastrophe. What was perplexing was how any one individual could get themselves to the state that they would do something like that to innocent people. Subsequently, as the minister spoke about the bravery and the heroic actions of the firefighters, the paramedics, the volunteers, the police officers, as ours here in Ontario exemplify what that job means, we made comment about that. We indicated to them that we want to do things to make sure our province is safe and secure.

Let me quote what the then minister said: "We will ... establish training for volunteer emergency response teams." We agree with that, but I do offer a caution, and that would be to ensure we refer ourselves to the professionals who provide that service to make sure they understand why we're looking to the volunteer sector to help with that, how they are going to be trained and who is going to provide the training. Several answers need to be fleshed out before we proceed with this to ensure we don't end up at cross-purposes, because emergency response is an exceptionally important aspect of referring ourselves. Once the emergency takes place, we have to make sure this team that's being referred to is working with all the stakeholders to avoid duplication and conflict and to avoid getting in each other's way. There's nothing worse than having too many volunteers in an emergency situation. There's nothing worse, believe me. I've been in the middle of some, and you need to get people out of the way. So when we do these responses, it must be in a measured way with all the stakeholders participating in the development of this concept.

He also said we will "work with the owners and operators of large buildings to develop evacuation procedures." I'd take this even a step further.

To use the example of Japan, it is exceptionally brilliant on how to plan that. But did you know they spent decades developing how to respond, pre-emergency, to typhoons and earthquakes? What did they do? They went to architects, to builders, to developers, people who acquire land. As part of the suggestions I offer the minister, I'm suggesting we move another step forward. Let's move to our architects, to our builders, to the building owners and find out whether there's a better way to house our people.

Is there a new way to look at how we respond to emergencies and the kind of evacuation processes we have? Can we put in new processes? Can we develop new ideas on how to evacuate or section off parts of our city? Are we looking at futuristic development? Those are the things I'm trying to refer the minister to: the next step. That dialogue needs to start now so that we can be prepared once we have in place all the templates and the foundation you're talking about tonight. It's very important to go beyond simply having a plan today and not being able to make it evolve.

His last comment that I want to make comment on was "to develop more specialized forensic capacity in the Centre of Forensic Sciences and the office of the chief coroner." In my two or three visits to the centre as part of my responsibility as critic, I've come to know and befriend Dr James Young. Jim was telling me some interesting things about the building itself. I believe there's a plan in place—and I would encourage the government to continue that dialogue, and if not, to fast-track it as best you can—to reconsider an emergency centre that is 19 storeys up. The first thing that came into my head, and he just kind of giggled when I said it, was, "You're 19 storeys up and it's the emergency centre?" He said, "You caught it. It shouldn't be there."

I would also encourage this, and I don't know if I'm going to get a giggle out of the minister this time: why would we not go to the municipal coordinators, to the federal government, to the provincial government, get us together and say, "Look, let's get the brightest, best minds we have and design the best centre we can possibly have"? Maybe we can get the federal government onside, because we know Toronto is the centre of an awful lot of action, as is Ottawa, as is Vancouver. If you get what I'm getting at, again we're talking about future planning, the type of planning we were taught, unfortunately, by September 11.

Nineteen storeys up we've got our centre that's going to be the brain trust of how we respond to a catastrophe. That building itself would be subjected to that type of problem. I believe we need to consider very strongly that that centre needs to be moved. We need to reinvest. I know the government has already invested some money, and the chief coroner, who is also the manager of this new system, is very pleased with the direction the government is taking. I'm sure he would say, as would any other responsible manager, "If you're going to give me more, I'll take some more, because I've got some other ideas about what we have to have."

We should be sitting down and taking the approach of—I will tell you this. The minister said it tonight, and I was very pleased to hear it. His response was very measured: "I'm not going to be political about this. I'm going to try to do the right thing." That's the challenge I'm laying out: let's talk about doing the right thing. That building needs to be built. For that building, we need to call upon the expertise we've got, even from around the world; we don't want to reinvent the wheel. But in terms of that particular centre, it needs to be a beacon. It needs to send a message that we've learned the lesson and we will proceed with providing our citizens with the best we possibly can. It will take some funds, but if we do it with a shared sense of responsibility, if we approach the federal government in a way that simply says, "Come on, let's talk about this. This is really important," I believe that all levels of government will step forward and say, "You know what? You're on to something. I believe it's the right thing to do."

2150

That's the other issue that came up as a result of the minister's statements, and I appreciate very much the fact that the minister has indicated some funds have already been put into the centre and that—I think it's verbal right now; I'm not sure whether it's on paper—they're looking for proposals. But I believe they've caught that one and are moving forward with the idea of re-evaluating that building. First of all, it's 30 years old, if I'm not mistaken. Second, that centre being 19 floors up just doesn't make sense. I've learned a little bit—not a lot. I'll be honest with you. There's so much to learn and not enough time to put that together. But I believe we have expertise, and I think most of the experts have said, "That's not the place for your centre." So I believe that should be done.

I want to move forward with responses to Bill 148, as I indicated in my litany of things I was going to do. I'm on track. It's amazing, Speaker. I'm just talking about what I said I was going to talk about.

I know I've said this to the minister, but I want to say it one more time. Minister, we are going to support. We understand the direction you're going. We do believe it's the right thing to do. But I don't necessarily believe that we should be hurrying this, and I say this with very gentle words, just because it's the anniversary. I don't know that we should be saying, "We need to pass it because." Believe me, I appreciate the concept, I appreciate the value and the psychological impact of making a significant contribution on the anniversary of September 11, but that should not be the purpose of passing the bill quickly.

I know that the members of the third party have concerns about the bill, some legal, some financial, and others in terms of ideas. They should be heard. We should hear them. We should understand what some of the concepts, the thoughts and the concerns are from the third party. I think we should be able to offer some of those recommendations and changes. I believe the member, as the former minister, received many deputations



from people in the field, from all different directions, and rightfully so. This is something we shouldn't do just because. This is something we should do because it's the right thing to do and we've thought it out as best we possibly can.

I'll say this: I believe this is a first step. It shouldn't be seen as the answer to our safety and security woes. If it is, I would suggest to you that I couldn't support the bill, because as I said earlier and will repeat, I believe this is an evolution. This is something we should be working on in a cyclical pattern, time and time again, to ensure we've improved our safety and security, because new issues will come up. New ways of devious, perverted behaviour are going to be inflicted on people around the globe, and we should be prepared to learn from those.

Since the terrorist attacks, in addition to proposing the creation of the Ontario security fund, Dalton McGuinty has put forward positive proposals to improve Ontario's economic and physical security. The Ontario security fund called for using \$100 million from monies already available, already in our coffers, simply reprioritized and reshuffled. This fund would have made \$50 million available to Ontario municipalities to do what they thought was necessary to comply with the contents of Bill 148 so that the firefighters, the police officers and the training for their employees in emergency readiness could have been paid for. Another \$50 million would be used to improve security at provincial facilities in preparation for the future, such as reconstruction of the brain centre, if you will, during an emergency.

Right now, it's very clear, from studies provided to us by Emergency Measures Ontario when they conducted their survey of municipalities across the province, that they're ill equipped to deal with small emergencies, let alone serious natural disasters and attacks inflicted on us by other people. According to that survey, 72% of Ontario's municipalities have not conducted exercises over the past year to evaluate their emergency plans. I will say, on a positive note, that 91% of our municipalities do have a plan. That's positive, and I think it has grown since, if I'm not mistaken. That's good, except that when 72% of them don't practise that plan, there's a problem.

I'll tell you how I know that. By law, as the principal of an elementary school not that long ago—we had to perform three fire alarms, one a term. We had to do those fire drills by law and we were checked by the fire service of whatever area you came from. We had to do three by law.

And guess what? I would suggest to you that the statistics are reversed. I would suggest to you that 90% to 100% of the schools do those fire drills, and that's practise, practise, practise. We do them over and over again, and that's an expensive proposition for emergency preparation. But if we work together, that practice will pay off dividends in life. That's what it does: it saves lives.

I was unfortunate to have to have an evacuation of one of my schools, and it was for real. I had that school cleared in two and a half minutes; 320 students in two

and a half minutes. Nobody got hurt. A tricky firefighter decided, the second time he came to my school, because he said it was working too well, to put a pole in one of my exits. He blocked an exit. But I had practised the alternative and I got my school, the same number, cleared in two minutes and 25 seconds. We were awarded a commendation by the fire service, but it only happened because of practice.

So the point I'm making here is that we've got a long way to go and there are things we need to do to keep our people safe.

I would offer you this last comment. Bill 141, An Act to amend the Fire Protection and Prevention Act, that I offered to the House—Speaker, if you would indulge me for 10 seconds, I'll finish—it's to make sure the fire marshal never again allows one firefighter to go to a fire on a fire truck. That would do it; that would keep our communities safe. I ask the members opposite to look at that bill and pass it.

It has been an enjoyable opportunity to speak on this bill. I offer my support to the minister and thank him and the former minister for their good work.

**The Speaker (Hon Gary Carr):** Questions and comments?

**Ms Martel:** Let me make a couple of comments with respect to the opening remarks that were made by the critic for the Liberal Party.

We are concerned about this bill. We are particularly concerned, as I mentioned earlier, about the cost to municipalities to ensure that they can comply, because we do not see anywhere in this bill any mechanism for the government to provide funding. It would be very useful if the minister were able to stand in this place tonight and tell this House what the anticipated costs for these regulations would be for municipalities to comply and what the obligation of this province will be to fund those costs.

I say that because, as I look at the budget that was most recently brought in, I am very concerned about what, if any, financial resources this government will provide to municipalities to comply. I say that because, if I look at the Ministry of the Attorney General and the operating budget proposed in the estimates for this year, I see there is a cut of \$15 million. If I look at the operating budget for public safety and security, the cut there is very significant. It's a cut of \$73 million for this year.

So at a time when the government comes forward and asks us to consider this important bill, I have to note that in fact the government's own resources for some of these important measures seem to be cut. If that is the case, then I can't imagine that the government is going to be in a position to offer up any cost-sharing to allow municipalities to comply.

So we remain, as I said earlier, very concerned about that particular provision. How is all this going to be funded?

2200

**Hon Mr Runciman:** Just a quick response to that comment from the member from Nickel Belt. As the member for Brant indicated, over 90% of municipalities

already have plans in place. We have enhanced the staffing levels at the EMO and they're working with the municipalities which have not, as of this date, developed plans to do so in a timely way. We are addressing that concern.

I just want to say, in response to the member from Brant, that I spent 10 years in opposition. Some folks will think that being in opposition is to some degree an exercise in futility, but I want to say that you can make a contribution; you can make a difference. I very much appreciate the stance you have taken this evening, the stance that your party has taken, with respect to this piece of legislation. Opposition can indeed make a difference. If we look at security issues, the Liberal Party drew to our attention the weaknesses in terms of vital statistics and the weaknesses with respect to the birth certificates in Ontario and how they were issued.

That's the kind of role the opposition can play. Mr Speaker, you and I spent five years there together, and we know we can make an impact. We can work together. Especially when we're talking about issues like national or provincial security and safety, we can find ways to work together in a non-partisan way.

I want to compliment the member from Brant in terms of his comments. He has made a number of positive suggestions. I want to commit this evening, as a new minister in a new ministry, that we want to involve him, as the Liberal critic, in anything that evolves in the next little while with respect to improving emergency measures in this province and ensuring the safety and security of the residents of this great province.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I would say that, yes, we will support this bill. It's very important that we give the necessary tools to our officers, whether they are provincial officers, federal officers or municipal officers. Since September 11 we all know the precautions that have to be taken. With this bill, I hope the government will have sufficient funding in response to the requirement that is necessary to give safety and security to all Ontario people. Again, we will support the bill. We will definitely make sure that the contents of the bill are followed properly by the officers within the province.

**Mr Peter Kormos (Niagara Centre):** The critic for the Liberal Party spoke for—did you speak for an hour? OK. It's my turn in but a few short minutes and I've been looking forward to it.

I'm glad I got back here from Thorold—and I'll tell you about what I was doing down in Thorold—just in time to hear the minister wrap up his leadoff. I commend the minister for being here. It has become a rare phenomenon. He's from the old school in that caucus, who knows that ministers should be monitoring their bills, especially on the introduction for, let's say, second reading. So I commend the minister for being here this evening while he kicks off second reading debate. But I have some things I want to say to him. I'm glad he's here. If he wants to wander off for bits and pieces, he can, because it will be available in Hansard, and there'll

be minions of one sort or another making notes over there behind the Speaker.

In two minutes' time I'll have a chance for my one-hour leadoff. I'm going to tell you about the graduation down at Thorold Secondary School as well. Thorold Secondary School is a small-town high school that has some great teachers and some great kids. I drove down there just in time for the graduation. I had to leave after only 30 minutes. They let me say hello to the folks there and then I rushed back here, anticipating this debate. I told the folks there that this was going to be dealt with.

The problem is that it's not going to be finished tonight, is it? I'm going to explain how that's the case as well. It could have been—and the minister's being very cordial. He's even being affable this evening. Whether he remains affable remains to be seen, but I understand. He wants something; he may or may not get it.

**The Speaker:** Reponse?

**Mr Levac:** I appreciate the comments from the member for Nickel Belt, the Minister of Public Safety and Security, the member for Glengarry-Prescott-Russell and of course, as always, the member for Niagara Centre.

I had a list of about eight or nine items I wanted to go through. I got through 99% of them, so I've got two more to mention quickly. I'm going to do that and then make a final challenge in my two minutes. To finish it up, rather than enter into a debate I want to make these observations about some of the proposals that I think should be considered seriously, other than the ones I've already presented.

I believe that there was at one time in this place, before my time, an all-party committee on terrorism and I believe we should be doing that one more time. If that's the case, I think we should reconvene that and ask all of our parties to come together to work on terrorism.

Another one—here's an idea: why not get our mayors together? If we could get our mayors together to give us various concepts, it would also include the other issues that I've talked about earlier. Maybe a unique opportunity to get our mayors together to talk about this specific issue could include some of the other things I talked about earlier, plus the fact that it wouldn't hurt us to let them know from time to time that we really don't think they're such bad people. Talk to our mayors. It would be a good idea, don't you think? I think it's a good idea.

I would also suggest that in the budget—I'm concerned about this and I'd love to talk to the minister about how we're going to reconcile the \$70-million cut to your operating/spending budget and the fact that we've got to provide the OPP with more money and that the allocation for infrastructure spending includes courts and jailhouse infrastructure. The two don't mix. I'd like to talk to the minister about that, how we can help him get bigger budgets. I'm sure he'd like to go to the Chair of Management Board and improve that circumstance. Finally, let's do it for the right reason.

**The Speaker:** Further debate?

**Mr Kormos:** Thank you kindly, Speaker. I commence my one hour. This is the only opportunity I'll have to



speak to this bill on second reading, but there are eight other members of the NDP caucus who have great concerns about it as well.

That's not to say that it shouldn't pass second reading. Second reading, as you know, is all about passage in principle, and I hope that the minister agrees. I've known the minister for a long time. I've known him for a good chunk of time. I've already commended him for sitting here through his bill, and I point that out for the benefit of his juniors in his caucus, who seem ill-inclined to attend during second or third reading of their bills. I'm talking about his colleagues in the Conservative cabinet who somehow treat this chamber as something—oh, you know, it's just a little bit of irksome trouble that you've got to get done and over with. It's like the bar admission course, if you will, or the final exams or the final essays for a master's degree. You've done all the work, but then you've got to go through that little bit of irritation. Once that's over, it's clear sailing. I think you understand what I mean. Perhaps only in hindsight do you reflect on the fact that that little ultimate hurdle has, in and of itself, some value.

There are a lot of ministers in this government's cabinet—and I've watched them now for, good grief, seven years—who haven't got the commitment to their legislation to sit here and not only address it on second and third reading in terms of the leadoff speeches, but to sit through and carry their bill through the Legislature. They don't even send their parliamentary assistants.

**2210**

One of the problems is, I don't know who's who when it comes to parliamentary assistants any more. It's true. PAs used to be readily identifiable just because of their closeness with the affairs, with the business, with the legislation, with the policy development of a given ministry. We've seen so much shuffling of PAs. Some days, I look over there and I think everybody's a PA. I know there are four who aren't. There is the quartet over in the government caucus. Do you understand whom I'm speaking of?

This government caucus, with its—I've got to check the sheet now—with its still-significant numbers—admit it. I know they won the last election. It's obvious every time I come into this chamber. It's not hard to figure out. But holy moly, 57 members and there are only four of them who are on the fringe, who don't receive pay in addition to their base pay of, what is it, some \$82,000 a year now? There are only four out of 57.

I understand being on the periphery from time to time, but I also understand that there are ways to get there and I suppose there are ways not to get there. But when you reflect on the fact, not so much that there are four on the out but that there are so many on the in—that's my point. It's not that the glass is half empty, it's that it's half full when, out of 57 government members, 53—let's put it that way—are getting greased—right?—to follow the line.

When you think that to do that the government had to concoct ministries—I mean, how many Ministers of

Housing and Municipal Affairs are there? There is the minister, there are one, two, three associate ministers—help me—and then parliamentary assistants galore. There is no housing any more, so scratch the housing. Municipal affairs? Well, the Municipal Act bill was passed some chunk of time ago now and there doesn't seem to be a whole lot of work going on in municipal affairs. So this government has created some tremendous make-work programs for its own members, for all but the four, the notorious four, the gang of four who find themselves on the outs, and for the life of me I can't understand why.

I really was talking about this minister and the standards he's setting for other ministers in his cabinet, and I put to you that he sets a particularly high standard, one that other ministers have been disinclined to reach or strive for. But having said all of that, here's a minister who cares. Look at the passion this minister brings to the House in terms of presenting this bill. He cares. He does. This minister now wants this bill to pass so badly he can taste it. He's been up front about it and I don't condemn him for that. The former Solicitor General, now the Minister of Public Safety and Security, wants this bill to pass so badly he can taste it. He wants it to pass so badly that he told his House leader, "Don't worry, I'll commence second reading some time around 9:30 on Wednesday night," the day before the House is scheduled to adjourn for the summer. That's how eager this minister is to see this bill pass, regrettably for the minister.

Again, he can play all the 9/11 cards he wants. The fact is that doesn't cut it very much any more, even in the United States, and we don't buy it. Are there elements of this bill that are good? You're darned right there are. I'm particularly impressed by the elements of a bill that permit a person to be declared dead in circumstances, for instance, where the body can't be retrieved. I've had, through the course of our constituency office and in other facets of life—and I suspect most of us have had to deal with constituents, family members, what have you, who have had to go through that rigorous and expensive exercise. The parts of the bill that deal with that are certainly interesting, but in and of themselves, please, the problem has existed for some time and predates 9/11. To be fair, it's a problem that should be addressed.

Similarly, reading the bill and reading those sections, I say to the minister, that these provisions, these novel revisions of the current law—in terms of having someone who has disappeared, if you will, declared dead—warrant some careful analysis by, among other things, members of the bar out there, lawyers, people who practise in that area of the law.

I know that this minister, in his passion for this bill, would dearly love to see and hear participants in a public hearing making submissions about those portions of the bill. He's just that kind of person. He's a careful, cautious minister.

*Laughter.*

**Mr Kormos:** Well, you are, Bob. You're not rash at all. You're not intemperate. You're careful and you're cautious.

Certainly he didn't leap into this. The bill was introduced back on December 6, about a week and change before the House adjourned for Christmas, and as I say, my appreciation of this minister's cautious approach is that notwithstanding that the bill was introduced—

*Interjections.*

**Mr Kormos:** The din in here is insufferable, Speaker. Can't these people be instructed to take their conversations outside? This is so distressing. The minister is being precluded from paying attention and putting his focus on the debate around Bill 148. Thank you. That's better. Sh. That's much better. Very good, people.

The minister, in his cautious way, notwithstanding that the bill was presented for first reading on December 6, has waited until today to present the bill for second reading. I'm not criticizing you, Minister. This is what I expect from you: that very cautious approach. It's like the tortoise and the hare.

This minister does not want to rush to an inappropriate resolution of the determination of this bill. I share that with you. I'm going to help you make sure this bill receives the careful, studied, cautious, indeed almost conservative approach that I've admired from when I was a young MPP here.

I used to look up to you and say, "By goodness, there's Bob Runciman. He's the kind of MPP who—maybe someday, if I just put myself to it hard enough and worked hard enough and was careful enough, I could have some of the style he does." Because sometimes, I acknowledge, I'm prone to be quick to draw. Do you understand what I'm saying? Not this minister. I've argued with folks who would say that this minister is so slow and cautious that he's boring. I've argued with those people. This minister is not boring at all. I've argued with those people and said, "No, he's just cautious." I admire that.

I am going to help the minister take a cautious, studied, careful approach to this bill. Some of the other members in here may want to see this bill speeded up and rushed through tonight, but no, the minister doesn't want it speeded up, nor do I. I'm on the minister's side on this one. I'm going to help you. I'm with you. I'm working with you.

*Interjection.*

**Mr Kormos:** Don't fight like that, because back in the old days when we were both in opposition, we used to work together. We used to collaborate. Today the New Democrats are collaborating with you. They're going to make sure that nothing stupid happens by virtue of passing this bill without careful study. We're going to make sure this bill receives full consideration during the course of debate, because this minister knows that's the way it should be. We're going to acquiesce in what is clearly the minister's concern, which he signalled by not bringing this bill forward until today, June 26. We've been here three months, three months plus? No, just shy of three months.

See, I knew, because we were back here in April—we were supposed to be back earlier, but of course there was

a Conservative leadership campaign going on. I understand. I went to one of their debates. I understand as well why nobody else in the province was particularly excited about it either. I was there in Oakville. There were far more interested and interesting people outside on the street than inside. It's true. I went there and I listened to the debate, and I was saying, "Please, get me out of here." It was real exciting. Sure. Ernie and Ms Witmer going at it. I've never been in one of your cabinet meetings, but it was a real duel with rapier opines being expressed.

**2220**

So here we are. There's some good stuff here, no two ways about it—people presumed to be dead. But let's have it looked at. Let's make sure that people out there who practise this law have a chance to look at that section of the statute and fine-tune it.

The minister has clearly been preoccupied with Bill 148. The other day I heard him responding to a backbench question from his own caucus, where he was asked—I don't want to tell stories out of school, but these questions are set up. I'm sorry if this is like a magician telling Houdini secrets. The questions from the backbench are set up. They're usually written by the ministry.

**Interjections:** No.

**Mr Kormos:** I know people are shocked. I can hear people's jaws hitting their desks. It's the truth. These are set-up questions. They're pretty clumsy; if only the government were clever enough to have those questions put in a way that appeared to be a little bit pugilistic.

But the other day this minister got a question. I can't remember which backbencher it was from, but he was just giddy about asking a question. For 45 minutes, at the beginning of question period, I see this backbencher sitting there and I see his lips moving as he's rehearsing the question over and over again. I thought, my goodness, there's a cautious questioner. I could see him, with his finger moving across the page, and then he goes back to the top and his finger's moving across the page and you see his lips moving as he's reading.

The question was about the fire marshal and the 10-10 response time. Clearly the minister wanted to get something off his chest. There's been a little bit of concern expressed—I'm sure to all of our offices—about the fire marshal's 10-10 proposition. One, because the—

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** Sounds like a radio station.

**Mr Kormos:** No, the minister is being told that the fire marshal is imposing a 10-10 response time: 10 firefighters in 10 minutes. The problem is that it's a stupid response time for rural communities and volunteer fire departments. It's just not realistic.

I know the minister is a friend of firefighters. I've heard him tell me that many times. I've heard him say it to firefighters. He'd have more credibility if the firefighters would say it about him. But I've heard the minister say it. So I was surprised when the minister got to his feet and appeared to achieve some salvation, at least in his own mind, by saying, "Let's make it clear. I've



talked to the fire marshal's office, and this is merely advisory, some sort of vague standard."

I suppose that's some relief for rural fire companies, for volunteer fire companies that know the 10-minute response time is simply not realistic. But it begs the question. Here's a minister—I want him to do good in his job, I want him to succeed where others haven't. I want him to go down in the annals of Queen's Park history as a great advocate for firefighters and firefighting services. That's why I want the minister to stand up and say, "No, forget the 10-10; it's 17-10 and 17-20." Those are the real numbers: 17-10 and 17-20. You see, all the Bill 148s in the world will never address that most fundamental concern of firefighters across this province that they be adequately staffed and that the firefighting services have adequate resources and tools to ensure 17-10 and 17-20 response standards. That's what it's all about.

And these aren't numbers plucked out of the air, to have 17 firefighters on the scene within 10 minutes, the capacity to do that. Now, does that mean that every call will deliver 17 firefighters to the scene? Of course not. We're talking about the capacity. These aren't whimsical numbers; neither are they frivolous numbers. They're real numbers. As a matter of fact, they come from the National Fire Protection Association in the United States, the NFPA, which has released two significant documents, thoroughly researched, incredibly well prepared, incredibly persuasive to even the most casual reader, indicating that if we want to have safe communities, if we're really serious about it, if we're really serious about public security, then we don't fiddle around with 10-10, or even 10-10 as a mere guideline. We accept and adopt and demand—and support—the now universally accepted standards in North America standards of 17-10 and 17-20.

Quite frankly, I know it can't be done overnight. But the minister should stand up on his feet right here and now, to tell us in a clear, unequivocal way—and it doesn't have to be in his own words; his staff can prepare the note for him now; they've got 40 minutes in which to prepare the note—on behalf of this government at Queen's Park, stand up and say as minister of public security, "I announce here and now that this government, this, the Ernie Eves government, commits itself to establishing the 17-10, 17-20 standard and to ensuring that every firefighting service in this province, full-time and volunteer, has the resources with which to do it and that those resources will come from this province." Do you want me to repeat that so you can get it down? That would save far more than any or all of Bill 148.

Confirming those standards alone and, most important, ensuring that every community in this province has the resources to live up to those standards in terms of staffing, in terms of equipment, in terms of training, in terms of infrastructure, would be Bill 148 times 100. It would actually give communities and their firefighting services the capacity to deal with, yes, any number of emergencies and crises that confront people in communities across this province on any given day.

Please, let's cut the 9/11 rhetoric. Let's be cautious about persisting in hanging our hats on that. At the end of the day, all said and done, I'm still far more concerned about any number of natural catastrophes that can and do occur, any number of life-threatening events that can and do occur, far more frightened about the prospect of an arena roof or of a plaza roof collapsing, especially with the new Bill 124, the privatization of property inspection, the privatization of building inspection during the course of building. Municipalities no longer have carriage of that. Read the international section of any newspaper—I don't care: American, Canadian, European—and you find that those countries which have no building standards and no proper and arm's-length and independent inspections are those countries where we witness those terrible catastrophes that result from building failures, among other things.

2230

**Mrs Marland:** Why am I sitting here like an idiot?

**Mr Kormos:** Do you want me to answer that? Ms Mushinski asks why she is sitting there like an idiot. I let the record speak for itself. Why are you sitting there like an idiot, Ms Mushinski?

**Mrs Marland:** On a point of order, Mr Speaker: Sometimes when I speak, because I sit so close to my colleague from Scarborough Centre, people think it's one or the other speaking. I would like to assure the member from Welland—is that the name of your riding, Mr Kormos? I know it's something else now—that indeed it wasn't the member for Scarborough Centre speaking; it was me.

**The Speaker:** Thanks for the clarification. It's not a point of order.

**Mr Kormos:** Ms Mushinski, I apologize. You weren't sitting there like an idiot, Ms Marland was. I'm glad that Ms Marland rose and corrected the record. Ms Mushinski, you're sitting there quite genteel and polite and quite fine. So you're not the idiot by any stretch of the imagination. I'm glad Ms Marland corrected the record, because I might have made a horrible and tragic error there that I would have regretted the rest of my life. So I do apologize to you. That was incredible.

God bless the candour of Ms Marland, to be so prepared to make that admission, an admission contrary to her own interests, which of course gives it credibility when we're talking about the standards they use in criminal courts. I was, regrettably, distracted.

I'm going to talk about 17-10 and 17-20. That's one of the real issues. One of the problems with the bill is that it doesn't speak of accepted, already established standards. This bill, if it truly were an act to provide for declarations of death, but more importantly to amend the Emergency Plans Act, it would codify 17-10, 17-20 right off the bat.

Let AMO come and argue its case. Let them stop being such a sycophant, riding the coattails of this government. Well, are they? Come on, please. Let AMO stop apologizing for the downloading and looking for more tools to cut services, like Bill 124, the privatization of building inspection—please. What a dangerous proposi-

tion. Let AMO argue against it in committee. I think the minister can stand up to AMO. I think this minister would tell AMO to go pound salt if they came to him with that type of argument, because this minister believes in his position. I have no hesitation in putting that to you. I say that with all the generosity I can muster, all the generosity of spirit, that this minister really wants to do something good for public safety. Well, then do it: codify 17-10, 17-20.

Accept the fact that the issue has been studied, studied, studied by authorities. I've got footnotes here in this report on NFPA 17-10. I've got footnotes; I've got indexes; I've got authoritative sources; I've got cross-references. On the 17-20 document, the same thing: indexes, footnotes, cross-references, authoritative sources; the names of the studies that have been done; the names of the research programs that have been done in communities big and small, full-time firefighting services and volunteer firefighting services across the United States. It's no longer an issue; it's no longer an argument: 17-10, 17-20.

I tell you what, Minister: let's go into committee of the whole House for 10 minutes. You codify 17-10 and 17-20 in this bill tonight. Make it mandatory within six months and also commit the province to financing it, and this bill will not only pass second reading tonight, but I might be inclined some time tomorrow afternoon or tomorrow night to give it third reading as well. I won't take any credit at all; I'll give all the credit to you. Codify 17-10 and 17-20 in Bill 148 and you will have done a far greater service and it's something I'll stand up on, on behalf of this caucus. Codify it, commit support for the financial end of it and, bingo, you've got yourself a bill, end of story.

I don't want to speak for my counterpart in the Liberal Party, but I suspect he's interested in that proposition.

**Mr Levac:** Fully supportive.

**Mr Kormos:** What was that, Mr Levac?

**Mr Levac:** Fully supportive.

**Mr Kormos:** Did Hansard get that? Thank you. I responded to his heckle, which is how it gets into the record.

**Mr Levac:** It's not my bill. Have you seen my bill?

**Mr Kormos:** Don't be that way, Mr Levac—it's all about firefighters and firefighting services. We'll give Mr Runciman credit.

One of the other problems, and this is a response to this sense of urgency—

*Interjection.*

**Mr Kormos:** Ms Martel, the member for Nickel Belt, was in here while I was coming back from the Thorold Secondary School graduation. It was hot in that gymnasium too. As a matter of fact, talk about a school that could use some air conditioning—it's a good school with a lot of students.

As I'm rushing back from Thorold, Ms Martel from Nickel Belt is in here, and she whispered to me that it was a rabid introduction on the part of the minister. I don't want to tell stories out of school, but she said,

"Look, the minister delivered a rabid exhortation on behalf of his bill." He talked about the urgency. Indeed, I got into this chamber just in time to hear the minister become very partisan—this minister partisan? I'm shocked—in his accusation that the opposition parties were going to be partisan.

**Ms Martel:** Only us. Not the Libs, only us.

**Mr Kormos:** Oh, thank you very much. Ms Martel is telling me now that the minister was cutting the Liberals some significant slack, that he focused all his enthusiasm and vigour on the New Democrats. I understand. We get under the government's skin from time to time. We're small, but we're mighty. I understand why the minister might be inclined, from time to time, to have to vent. That's a healthy thing. I've read a whole lot about that kind of stuff. It's how this minister has reached his age without any major coronaries and so on. He understands the need to vent.

I suspect he's merely frustrated. He may be up next for an editorial cartoon in the Toronto Star. But I suspect the minister is merely frustrated. Now I'm reflecting on what I've had to say: did this minister really want this bill to sit off in first reading orbit until the day before the House adjourned for the summer? I think not. Now I actually regret some of the things I've had to say to him during the course of the last 32 minutes.

**Ms Martel:** You do not.

**Mr Kormos:** No, think about it, Ms Martel.

**Ms Martel:** You do not. You never regret it.

**Mr Kormos:** I do regret it. Here I was, suggesting the minister himself was responsible for this bill not coming before this House but a day before the House adjourned, knowing full well he heard the responses. We've got research staff, thank goodness, who, knowing for instance that a bill is going to be called for second reading, pull the ministerial statement that accompanied first reading of the bill and pull our responses. I know this minister would have read my response, my mere five-minute response on the bill. We were highlighting issues and concerns about it way back then, in anticipation of the bill's first reading, when the minister made his ministerial announcement. We said, "No, Minister, you've got problem A, you've got problem B, you've got problem C, you've got issues around funding and you've got the fact that communities can set standards now."

**2240**

This bill is irrelevant to the capacity of any community, any municipality, to do an audit of its emergency measures capacity. I don't care whether it's Welland, Thorold, Pelham, St Catharines or Brockville, every one of those municipalities, regional municipalities to boot, can do exactly—let's get down to the nitty-gritty: "It requires municipalities ... to develop and implement emergency management programs ... emergency plans, training programs and exercises, public education..."

Please. Cities can do that now. I acknowledge it says it requires them, but it neither funds them in the course of doing that nor does it set minimum standards that are enforceable.



We've got firefighters—good women and men across this province—police officers, front-line medical emergency personnel, paramedics and others who have been talking about this stuff for years but whose municipalities have to say no to them. This government, the Conservatives at Queen's Park, has downloaded on to whether it's a regional municipality or Toronto or eastern Ontario or northern Ontario, and because of the downloading there simply ain't the financial resources to make it happen.

I told you before that I was up with the member from Timmins-James Bay a couple of years ago. I've got to get back up there again, because there are wonderful people up in communities like Peawanuck, Attawapiskat, Ogoki and a number of other communities on the James Bay-Hudson Bay coast. We visited the aboriginal police forces in those communities.

Emergency measures capacity? Minister, you've left the far north. You left them a long time ago; you've abandoned them. You've got police forces with snowmobiles that have no tracks, boats that have no motors, lock-ups that have no cells and community after community without a justice of the peace to do the procedural stuff.

We were talking to police officers in the native policing services, First Nations people, who were well trained in the first instance but for whom there is no access to ongoing training, because these small, impoverished communities can't afford to do it, especially when it entails travelling to southern Ontario, and this Minister of Public Safety has no interest in helping them.

Lock-ups with no cell doors—well, of course—snowmobiles with no tracks, boats without motors, police officers with no ongoing training—hard-working, committed police officers, men and women, who want to serve their communities and who have a strong commitment and a strong passion for native policing services.

I visited at least five communities—six or seven by the time all was said and done. To tell these communities that Bill 148 is going to do squat for them would be an exaggeration. Dare I push the envelope and wander into oratorical turf that might be considered unparliamentary? I think not.

This bill has to go to committee. It can't go to committee before the end of the session. This bill needs committee hearings in Ottawa, Kingston, Niagara, Hamilton. It needs committee hearings in the Brant area, Brantford, then down west toward London, Windsor. It needs committee hearings in Toronto, big-city Ontario, and it needs committee hearings in small-town Ontario and in mid-size Ontario. It needs committee hearings in the densely populated areas like the Golden Horseshoe, especially the border communities.

You see, this is the problem. The minister has staff and counsel draft up the bill and says, "This bill is like some sort of cure-all, some sort of panacea." Well, no. It takes more than that, Minister, please, and you know better than that. It takes resources. Quite frankly, the Ontario Professional Fire Fighters Association has not been particularly enthusiastic about this bill, have they?

### *Interjection.*

**Mr Kormos:** Oh, I don't know. I read some of the correspondence from the Ontario Professional Fire Fighters Association. Let me share it with you. It was addressed to the predecessor of this minister on December 8, 2001, but two days after the bill was introduced. To be fair to you, Minister, this isn't a Runciman bill; it's a Turnbull bill. Remember Mr Turnbull, he who wants the gold-plated pension plan restored? Mr Turnbull, he who moans and whines and groans because he was making oh so much money before he came to Queen's Park and who just figures that he, with his six-digit—

**Mr Gilles Bisson (Timmins-James Bay):** Five-digit.

**Mr Kormos:** No, six.

**Mr Bisson:** Five.

**Mr Kormos:** It's no longer five-digit. It's far from five digits. These are five digits. Mr Turnbull is making a five-plus-one, six-digit income. So here's Mr Turnbull, not making a five-digit income but a five-plus-one, six-digit income. Me, I could live with five.

**Mr Bisson:** I could live with five.

**Mr Kormos:** Could you handle five right now? I could live with five. Just show me five and I'm happy. But Mr Turnbull doesn't want to live with five. He wants six-plus. Mr Turnbull wants a gold-plated pension and he wants a salary increase from the 120 grand or so that he makes now—shameful. And then these guys sit here, all these six-digit-income guys, and they hike their pants up and they sit back and they belch out a couple of Bigliardi belches and they say, "Oh my, let's slash welfare rates."

**Mrs Marland:** On a point of order, Mr Speaker: I think the member who has the floor now is maligning a colleague on the government side of the House, who isn't even in the House. I would ask that he desist from that line.

**The Speaker:** We'll listen carefully to the member for Niagara Centre.

**Mr Kormos:** Speaker, I would never point out that somebody's not in this House. That's unparliamentary, and I resent Ms Marland's drawing to this House's attention the fact that Mr Turnbull is absent. This House should be as indignant as I am and should move to censure Ms Marland. That this member would malign her own colleague in such a way by pointing out his absence in this House when I've been so careful not to is a shame.

2250

**Mr Howard Hampton (Kenora-Rainy River):** It's because he wants the pension.

**Mr Kormos:** Please, I happen to know where Mr Turnbull is. That you would raise it in such a way—you'll be awfully embarrassed to know that Mr Turnbull is working at a 7-11 on the midnight shift to supplement his income. That's why he's not here. He has car payments to make. He's got mortgage payments to make. He's got RSPs to buy. Mr Turnbull's working his feet off in a 7-11 right now in some dark, dangerous plaza because he can't live on a cabinet minister's salary. He can't face life without a gold-plated pension plan.

You, Ms Marland, when your colleague is working a second job to keep body and soul together, to keep a roof over his head, because at 100 grand plus he just can't make ends meet, want to humiliate and embarrass him by pointing out his absence in this House. Shame on you.

The letter was addressed to at least one of the predecessors of the current Solicitor General. I don't know how far back his predecessor goes because there's been some turnover of Solicitors General in this House. It's dated December 8, 2001, and says:

"Dear Minister Turnbull....

"My disappointment lies in the fact that this legislation"—he's referring to Bill 148—"is lacking in enforcement mechanisms for municipalities that do not comply. As well, there is no authority given to a 'body' of the government, such as Emergency Measures Ontario, to obligate a municipality to have minimum response requirements given their risk assessments.

"For this legislation to truly succeed in its intent to make the citizens of Ontario safer within their communities, the communities must be obliged to produce an appropriate response.

"On behalf of the 9,000 members of the Ontario Professional Fire Fighters Association I respectfully request that you submit Bill 148 for extensive public consultations and hearings."

I'm with the firefighters on this one. They're the women and men across this province who work—and I don't want to be in any way less than deadly serious about this, because it is deadly serious—at truly great risk to themselves, and we've seen that tragically demonstrated. We see it tragically demonstrated far too often and far too regularly, the firefighters who respond, each one of them heroes, to save lives with no consideration for their own, to protect others' safety and security with no consideration for their own.

Firefighters want extensive public hearings. I'm on their side, Minister. Do you know what? You are too. That's why I'm shocked and surprised that you would have prefaced your introduction of this bill or accompanied your moving of this bill for second reading with some sort of demand that it receive second and third readings in one fell swoop. I believe that was an oversight on your part. Perhaps nobody had drawn your attention to the December 8, 2001, letter from the Ontario Professional Fire Fighters Association to your predecessor, Solicitor General Turnbull.

You're the last person in that government whom I would expect to thumb his nose at firefighters, and New Democrats are not going to let you make that horrible mistake. New Democrats, as a matter of fact, aren't going to let your House leader force you into ramming this bill through the Legislature. New Democrats aren't going to let your Premier's office yank your chain or pull your strings. New Democrats are going to work with the Solicitor General.

Quite frankly, Mr Minister, we'll stand with you when it comes to fighting off your House leader and we'll stand with you when it comes to fighting off your

Premier's office. We'll stand with you because I know you care about firefighters and firefighting, and I know you know that a critical part of your goal in Bill 148 is adequate firefighting services and firefighting response times. Your House leader may not appreciate that. Your Premier may not appreciate that. They may be more interested, those two, in simply wrapping up a legislative agenda, tying it up neatly with a bow and then moving on to something else, knowing full well that if Bill 148 passes, as it is, it ain't worth squat.

It does nothing for public security. It does nothing for public safety. Quite frankly, it's an insult to firefighters who have been out there working so hard for so long, fighting for minimum standards, whether it's during the course of labour negotiations and arbitrations, whether it's in the course of public campaigns of their own, educating their communities, or whether it's in the course of their lobbying, their efforts here at Queen's Park.

*Interjections.*

**Mr Kormos:** I want you to know that former Solicitor General Turnbull is here. He got off shift early. Ms Marland may want to take this opportunity to apologize to him. I would welcome her to stand on a point of order. But then again, she could do it privately afterwards. Here's the Solicitor General who was the recipient of this letter from professional firefighters. I wish the former Solicitor General, knowing he's a busy man, working two jobs as he is, would take some time to talk to the current Solicitor General—no, I'm sorry, my apologies. Of course, you're the Minister of Public Safety and Security.

I wish former Solicitor General Turnbull would talk to the current minister and point out the letter of December 8, 2001, from the Ontario Professional Fire Fighters Association that said Bill 148, without extensive public hearings, ain't worth squat.

We're not going to let this government mislead firefighters.

**Hon Mr Stockwell:** Order, Mr Speaker.

**Mr Kormos:** My apologies. Withdrawn.

*Interjections.*

**Mr Kormos:** Those government backbenchers, they are so quick to their feet. They must spend lifetimes reading old precedents from Erskine May about what constitutes unparliamentary and parliamentary language.

We're not going to let this government betray firefighters and betray the promise of community safety. The folks where I come from believe in their firefighters. The folks where I come from are prepared to invest in those things in their community that make their community safer. The folks where I come from know full well what their Tory tax cuts have meant, and what they've become.

Those young people at Thorold Secondary School this evening—families were there, too; their folks were there, grandparents, aunts, uncles, neighbours. These are bright young kids. I get into that school at least a couple of times a year. I don't have to be prompted to by any caucus's education critic.



*Interjections.*

**Mr Kormos:** Well, please, I don't have to be challenged by some downtown Toronto elite education type. We have schools where I come from and I get to them often. The young people at Thorold Secondary School are bright young kids—very capable.

One of the things I had occasion to say to them in the few minutes they let me speak was to congratulate their folks and their grandparents for a lifetime and lifetimes of investment in public education. Those folks and grandparents are making the sacrifices, prepared to pay the taxes, make that investment in the community, in their province, in the infrastructure and in a public school system. I congratulated those parents for doing that. I also apologized to them because they haven't been well-served by their government over the course of the last seven years, have they?

Generations of investment, generations of building public education have been gutted in the course of but seven years. This government has created an educational school environment in which teachers are treated with derision and are vilified, in which education is downgraded and in which students are faced with the prospect of higher and higher tuition fees, whether it's college or university they choose to attend or aspire to attend.

**2300**

I asked those young people to please recognize that now, as they enter yet another stage of those lives, those bright young people at Thorold Secondary School—I congratulated their teachers. These young people at Thorold Secondary School or at any other school across this province—I don't care whether it's in the Nickel Belt area or whether it's in Kenora-Rainy River or Timmins-James Bay or out in east Toronto, old Beaches-Woodbine—have been taught by the most skilled, the best trained, the most professional generation of teachers this province has ever had. These teachers display a commitment notwithstanding the constant battle they have had now for seven years: the de-funding of schools, the overcrowding of classrooms, the elimination of support staff including teachers' aides, the abandonment of programs, those programs that are so critically essential to a complete education.

Let me tell you this, one of the things I just learned recently that's extremely frightening: in 1988-99 this province had reached something of a peak in terms of retention rates for young people in secondary school. But then over the course of the last three and four years the retention rate, which had climbed to almost 90%, has dropped to 85%, perhaps even as low as 80%, because of this government's abandonment of public education both at the elementary and secondary stages. This government has created yet a whole new generation of young Ontarians who in the year 2002, notwithstanding that they're bright, capable, motivated, interested, ambitious and aspire to good things, will not complete high school, and that's intolerable.

These same folks have also invested in their community in terms of firefighting services, and they're

prepared to do it. They know their Tory tax cuts have cut municipal services, have cut firefighting services, have cut police services. For this government to come to folks like the folks I represent down in Welland-Thorold, Pelham or St Catharines and wave Bill 148 is an insult to them. Those people down where I come from know what it means to build community readiness and preparedness in the event of emergencies or crises, and you don't do it with empty, hollow, shallow bits of bills that are there merely for the Solicitor General, the Minister of Public Security etc to puff his chest and boast with great self-aggrandizement how he's taken on them terrorists. Please, let's cut the 9/11 flag-waving. Let's talk about real life.

This is the minister who's searching down these mysterious and genuinely peripatetic al Qaeda cells, these quicksilver al Qaeda cells. One minute they're there, the next minute they're gone, but they sure were there. It's like back when I used to practise law. Every time I had a dangerous driving charge against one of my clients—you know, the guy who took his car into the ditch—there was always a black dog. There's a black dog down in Niagara region that charges in front of cars of drivers who inevitably have had, granted, not over the limit but a couple of beers at one of those taverns on Lundy's Lane in Niagara Falls.

That black dog has been preoccupied. He's just been so busy. That black dog hasn't had a moment's rest for the last 25 years or so since I started practising law. From what I hear from Mark Evans, a very good criminal lawyer down in Welland, that black dog is still out there darting in front of cars coming home from any number of those infamous taverns on Lundy's Lane in Niagara Falls, causing guys to pull their cars into the ditch, rolling over. And sure enough, there are still justices of the peace who, as they should, are prepared to give reasonable doubt on the basis of that black dog. From the look of the judge over there, that black dog's been doing some travelling.

Just like that black dog, there are al Qaeda cells and, by God, just as drivers leaving those notorious drinking joints on Lundy's Lane get confronted with that black dog, there's the Minister of Public Security—boom, al Qaeda cell. Oh, boom, there's another one. Bang, there's another one. By God, there must be terrorists in Ontario and if we never needed Bill 148 before, we need it now.

So, Speaker, I put to you: I move adjournment of the House.

**The Speaker:** The member has moved adjournment of the House.

Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 2306 to 2336.*

**The Speaker:** The member for Niagara Centre has moved adjournment of the House.

All those in favour will please rise and remain standing.

All those opposed will please rise and remain standing.

**Clerk Assistant (Ms Deborah Deller):** The ayes are 6; the nays are 25.

**The Speaker:** I declare the motion defeated.

I believe the member had some time left on the clock.

**Mr Kormos:** Let me make it quite clear that today doesn't even count as a sessional day for Bill 148 in terms of getting into the fall and seeking three sessional days of debate before the matter can be time-allocated.

**Hon Mr Stockwell:** OK. Explain the rules to us, Peter.

**Mr Kormos:** That's just the way I figure it. What do I know? I do my incompetent best. I struggle here. I just cope as well as I can.

I have a great, ongoing concern about the financial welfare of government cabinet ministers. We know how some have begun to address their financial shortcomings. Others have noticed that there are little pinpoints of rust on the Lexus, that the kids aren't quite dressed in the latest of expensive Yorkville fashions, and they're complaining. Times are tough for Tory cabinet ministers in terms of salaries. Things have been getting down and dirty.

Driving into town late Sunday night I see some of them out on the street—I've stopped and asked them if

they want a ride. They say no, they're waiting for buses. Anything to make a buck, I suppose, when you're down and out. We're talking 2 in the morning on streets where there haven't been buses running for years.

In any event, I move adjournment of the debate.

**The Speaker:** Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 2339 to 0009.*

**The Speaker:** All those in favour will please rise and remain standing.

All those opposed will please rise and remain standing.

**Clerk Assistant:** The ayes are 0; the nays are 7.

**The Speaker:** I declare the motion lost.

**Hon John R. Baird (Associate Minister of Francophone Affairs):** On a point of order, Mr Speaker: I'd like to ask for unanimous consent to put the question on Bill 148 on second and third reading.

**The Speaker:** Is there unanimous consent? I'm afraid I heard some noes.

It is now 10 minutes after 12 and this House stands adjourned until 10 am tomorrow.

*The House adjourned at 0010.*



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## Assemblée législative de l'Ontario

Troisième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Thursday 27 June 2002

Jeudi 27 juin 2002

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 27 June 2002

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 27 juin 2002

*The House met at 1000.  
Prayers.*

## PRIVATE MEMBERS' PUBLIC BUSINESS

**Mr James J. Bradley (St Catharines):** On a point of order, Mr Speaker: Before you start the proceedings today, I see that Mr Duncan's bill is listed as first on the order paper, rather than my bill, my resolution. I think there was a general impression that something happened there. Perhaps we could ask permission to deal with ballot item 54 first, then, if that's possible.

**The Acting Speaker (Mr Michael A. Brown):** Mr Bradley has asked that unanimous consent be given to consider ballot item number 54 and then ballot item number 53. Agreed?

*Interjections.*

**The Acting Speaker:** No?

**Hon John R. Baird (Associate Minister of Franco-phone Affairs):** Could I maybe ask for an up-to-five-minute recess?

**The Acting Speaker:** We will take a five-minute recess.

*The House recessed from 1003 to 1008.*

## APPOINTMENT OF SELECT COMMITTEE

**Mr Dwight Duncan (Windsor-St Clair):** I move that, in the opinion of this House, a select committee should be appointed pursuant to standing order 110. The select committee will be charged with examining the relationship between the environment and health. The committee be given up to seven months to study and report back to the Legislature with recommendations respecting improved health outcomes resulting from a cleaner environment. The Legislative Assembly directs the House leaders of the three recognized parties to negotiate the terms of reference for the committee. The assembly recommends that the committee begin its deliberations no later than September 2002 and report back to the House no later than March 2003.

**The Acting Speaker (Mr Michael A. Brown):** The member for Windsor-St Clair has 10 minutes for his presentation.

**Mr Duncan:** Mr Speaker, let me begin by apologizing to you. There was a bit of misunderstanding. We thought this was the second item today and express gratitude to

the government and the third party for allowing this to proceed.

All of us in this House I think share a concern about our environment and about our health. We have all experienced smog days, we have all experienced a number of environmental conditions and situations that we recognize could possibly, and likely do, affect our health. I think every member of the House has a desire to look at a range of possible alternatives and solutions that we might be able to find, as a province, to begin to address what is a very complicated issue.

In December 2001, the journal Environmental Health Perspectives published a report entitled Community Health Profile of Windsor, Ontario, Canada: Anatomy of a Great Lakes Area of Concern. The report concluded that the Windsor area and nearby municipalities have death rates significantly higher than the Ontario and Canadian averages. That's what has given rise to this. In January of this year a local coalition of union activists, environmentalists, local members of provincial Parliament and local members of federal Parliament in our area met to discuss this report and to begin to determine what we, as a community, should do to respond to what is obviously a situation of some concern.

All of us have struggled since that time to begin to come to terms with (a) the magnitude of the issue and (b) what it is we, as a people, not just as governments but as a society, can do. I have rapidly come to the conclusion that while there are certain things that are obvious and simple, the problem does not lend itself to an immediate and simple solution.

I believe all members of this House have an interest in looking at this area. I believe a select committee of this nature can advise the government and can advise the ministers affected, particularly health and environment, with respect to what it is we, as members of the Legislature, believe as a society we can begin to do to address this situation.

I put this resolution today in a non-partisan fashion. I think everybody in this House agrees. I think everybody in this House wants to find the types of solutions or to begin to address the problem in ways that will help, over time, to improve our environment and, eventually, health outcomes.

I was encouraged to recommend a select committee because we've done two since last year. We did the select committee on alternative fuels, chaired by Mr Galt from Northumberland, and the Legislative Assembly committee is now looking at parliamentary reform. I've

spoken to members from both committees and all parties, and we've all agreed that those were very useful exercises. I believe the government established those committees in good faith, and I believe this government and possibly future governments will look at the recommendations contained in those reports and attempt to incorporate them into meaningful public policy alternatives.

I have identified roughly 15 select committees that have been appointed by this House over the years since 1985, all of which have given us reports, some of which have been outstanding, many of which have had some or all of their recommendations eventually incorporated into government policy.

The two issues of environment and health are, I think, top of mind, not only for our electors in all parts of the province, but for all members of this House. I think having the opportunity to get a group of members together with the resources, with the support from the Legislative Assembly, will give us an opportunity for the first time to address the very serious issues that confront all of us as citizens of this province.

One of the other complicated factors about this is that there are obvious federal overlaps, municipal overlaps, international overlaps. Obviously we can't do anything to clean things up in the Ohio Valley. But let's work together as an assembly and as a society. I often think of this chamber as sort of like the kitchen table of the province. This is where we come together to discuss issues of significance. Quite appropriately, it is a partisan chamber because there are differences of opinion, but on an issue of this nature you will find a deep bibliography of research into this area that's largely scientific that doesn't go to the next level, which is to determine how we can take these findings and address the serious public policy concerns.

All three of the most recent governments have taken steps in one direction or another to address certain aspects of it. This, I believe, will afford us the opportunity if we decide as a Legislature and the government follows up on the recommendation to appoint a select committee to do a meaningful look at all of this.

I don't need to remind members of the serious smog problems we have here in Toronto. We have those same problems in my home community of Windsor. They're prevalent in Hamilton and other areas. There are many environmental concerns and we know those environmental concerns have public health implications. I urge members to look at this seriously as a method of allowing us meaningful input into the discussion, allowing us the opportunity, hopefully in a non-partisan fashion, to provide advice not only to the current government but if should there be different governments in the future.

If one looks at the recommendations of various select committees and royal commissions in the past, often-times it takes many years for recommendations to be implemented. This will be a very modest first step, but it is a step. It's something, in my view, that can lead eventually to a better quality of life, a better and healthier environment for us and our children.

I believe there's a place for all parties to work together and, by the way, to define our differences in meaningful ways that go beyond what I would call the normal routine of this place, to define those differences in clear public policy terms and, where we differ, to debate and take our differences to the people. As we found in the alternative fuels committee, as I believe we're going to find in the Legislative Assembly committee's work on parliamentary reform, we will find areas of mutual agreement, areas that we can agree we must and should move forward on.

This issue is so important. It especially affects children. I don't need to remind the House about elevated incidences of asthma in our young people, in our young children, and how those cases have grown over time, about elevated incidences of various cancers that have been well documented and well defined, and about scientific evidence that suggests clearly there is a link between the environment and those health outcomes. It's the sort of thing that should be taken seriously. It's the sort of issue that none of us has a magic bullet to solve. It has economic and public policy consequences. But I believe this Legislature and this House, members of goodwill on all sides, can find areas we can agree on and find potential solutions to the problems that will confront the current government and future governments, problems that, while not intractable, are difficult. If we, as a society, can set our minds to this, focus on it and bring to bear our collective wisdom and imagination, I'm convinced that we can make a difference and can begin to address these serious problems.

I say, as I conclude my opening remarks, that governments of all stripes have wrestled with these problems. Some policies have worked and had some positive effects and some frankly haven't, but let's take a first modest step toward addressing this in a systematic fashion that will hopefully yield better health outcomes for all our children and our families.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):**

I'm very pleased to join in the debate on the resolution put forth by the member for Windsor-St Clair. The issues he's raising here are important, let's be honest. I serve with the member on the committee dealing with private members. I know he's a very sincere and hard-working member with respect to trying to come up with solutions in this area. Having lived in Windsor, I can certainly appreciate his comments with respect to—

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**Mr John O'Toole (Durham):** Did you go to Windsor law school?

**Mr Tascona:** No, I didn't go to Windsor law school, but my sister-in-law and brother-in-law did. It's a good law school. But I would say it's a serious issue when you're dealing with the environment, the heat and certainly the pressures of the economic forces you face in areas that really do get hot.

Because we're dealing with terms of reference for the committee, when he goes to deal with the terms of reference—and he'll be there, because he's the House



leader for the Liberal Party—I want to put to him, don't restrict a cleaner environment to the outside. I think it also has to be looked at inside in terms of buildings and smoking. I want to stress that in terms of smoking. I know there's provincial legislation that deals with smoking in the workplace. It has been in effect since 1989. But there are exceptions to the government's ban with respect to smoking in the workplace, where there's public service in restaurants and bars, and the responsibility has been given to municipalities to establish bylaws in those areas.

Quite frankly, it's been an area of a lot of controversy with respect to how you balance those areas in terms of the fairest way to regulate this. Exclusive responsibility with respect to smoking is with the federal government. If they didn't want smoking, they could stop it tomorrow, but they have not made that decision to stop smoking. They've decided it's going to be regulated. It's allowed. It's regulated by the province and the municipalities.

I want the member to know my thoughts about this. I want him to look at the inside environment, where people work or where children are with respect to daycare and areas where they can be affected by their environment. It doesn't mean just the outside environment, so I hope he doesn't take a look at a narrow focus. Certainly there are issues with respect to smog in terms of people being able to breathe, but there are also issues with respect to their breathing inside. There are controversies out there that have to be addressed with respect to not necessarily the workplace, because I think the province has taken a position on that, but I think municipalities are struggling with respect to how to deal with that.

I know in my own riding of Simcoe county the health unit says they would like a 100% stamp-out of smoking, and that's being grappled with by the municipalities. Some municipalities are in favour of that and have gone ahead. Other municipalities—in particular in my riding, Innisfil is dealing with that issue. They haven't made any decision. Bradford-West Gwillimbury is the same. The city of Barrie has been dealing with it and they've decided not to have a 100% smoking ban.

I think the bottom line is that the province has to show some leadership on this, because you're seeing some really interesting—I'll put it as “interesting”—and different standards set out between municipalities with respect to how they deal with smoking. That has to be addressed. Certainly I think we have a role to play. I'd like to see the terms of reference show some strong leadership, because let's face it, when you look at smoking and the impact secondary smoke has on the environment where people work and on people who actually do smoke, it's a tremendous impact. Even smoking outside, whether it's controlled or not, affects people who are just in the general vicinity.

I want this committee to take a strong look with respect to the inside environment and not only with respect to air ventilation, because having worked in some large office buildings on Bay Street when I used to practise law here in Toronto, when you work inside these

large buildings and you depend on your air ventilation and you don't have a window you can open, it's different. You have to make sure that what you're breathing and the work environment you have are safe and aren't detrimental to your health.

You have your challenges with respect to inside and outside the workplace, so let's not be too narrow with respect to what you define the environment as. I think you should take a very close look at smoking and maybe revisit that issue in terms of health impact. Because I think that would be a major step forward in terms of dealing with a healthier and safe environment. I indicate to the member opposite that when they look at the terms of reference, don't narrow them to the outside environment, because there are some significant issues inside the workplace that have to be addressed.

I certainly believe that a select committee would be of assistance in dealing with this issue. I know our throne speech reaffirmed our commitment to the Nutrient Management Act and spelled out the centrality of the environment to Smart Growth.

I think the initiatives we've taken—and I'll just refer to my riding, Lake Simcoe—have been significant in terms of trying to ensure that it's a cold-water lake and is beneficial to the fish in that particular lake. We have seen tremendous strides with respect to control of what goes into that lake. I think all the communities around that lake have joined together to make sure, through provincial money and initiatives with the Lake Simcoe conservation authority, to protect our environment.

It's not just what you breathe; it's also what you drink, as we know, and the environment and the recreation we have in this province. So let's take a hard look at all the aspects of this issue, health and environment, and I think we'll come up with some positive initiatives in terms of showing some leadership on some issues. In particular, the province should be showing some leadership with respect to smoking in our environment.

That's all I have to say. I would support the resolution.

**Mrs Sandra Pupatello (Windsor West):** I'm very happy to support the resolution of my colleague from Windsor-St Clair today and hope that we look for all-party support on a select committee to study the links between the environment and our health.

I think what we wish we had more time for in this hour to debate this resolution was the time to go through the detail of the profile that was done and released in Windsor just a few short months ago.

The data that resulted in this profile was nothing short of stunning for the province. I thought the people in Windsor reacted in a very funny way when this became public. Most people in Windsor know there is a link between where we live in our environment and our health condition. Most people, in fact, responded by saying, “You know, we knew that.” It's quite good to see it actually documented and to know that all the anecdotal evidence, the stories we hear, how many neighbours on our street have cancer of a similar type—those things anecdotally were always there, and we've lived with that.

But note that two gentlemen, James Brophy and another individual who is listed here as the writer, went to the length of collecting data from Stats Canada to actually do a review. What they found, in not just some cases but in many in this study, were several diseases occurring at elevated rates in Windsor, including lung cancer, cancers of the digestive system, the reproductive system, lymphoma, leukemia, diabetes, asthma, infertility and degenerative nerve diseases. It was striking to hear and to see in writing things that we always knew from our neighbours.

Those of us who grew up in Windsor, as Dwight and I did, have relatives and friends whose parents or grandparents worked at the Bendix plant, which was probably made most famous after its closing, when we all realized and grew up with the notion that these people were working in asbestos for decades and that the people in that plant have since come down with innumerable diseases because of work at that plant, and then after the fact realizing that many plants in this automotive capital of Canada, the foundries in our area—I know that the people who come from the Hamilton area have similar concerns with the steel industry there, as in Windsor with the chrome-plating plants and all those heavy industrial environments that cause pollution unimaginable in the days when the plants opened. Today we look at that and wonder how our fathers—they were mostly men—worked in that environment, even up to the mid-1980s. When the Kelsey-Hayes plant closed, we realized there were people, hundreds of them, who worked in this environment for years and years, and anecdotally we would hear of the number of people in these plants who had become very ill, often with similar types of cancers. It's unfortunate that's our history where health is concerned.

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I've often been up in the House talking about how we can combat these health issues and how we need a health system to fight the diseases, once people are ill. It is time that we spend as much energy determining where we got that as we are currently fighting to get the system to respond to illness. It is also our responsibility to deal with how we can prevent it. The member from St Clair and I both hope that is ultimately going to be the result of such a select committee study, that we are going to be able to look at resolutions that come forward from the committee to say, "This is the kind of environment we have to strive for."

It's striking to note that it isn't just ill health, as we come to know it, but things like mental health. We have talked about the lack of mental health services, but we often don't talk about the incredible demand in our community and why that is. We currently have 700 kids on a waiting list for mental health services. Why, in an area like Windsor and Essex county, is that so elevated? If you speak with teachers in our elementary schools, they will often say that we have an incredibly high number of kids with attention deficit disorder. The doctors, psychologists and psychiatrists are all saying now that they

believe there may well be a link between our environment and these kids' behaviour, that those mental health illnesses may well be triggered by allergies.

If you have an environment like ours, where we don't know for certain but can suspect, it then becomes our duty and we are duty-bound to find if there is indeed a link. Then the greater issues lie after that: to determine how we collectively, across all levels of government, can work with our community partners to make a difference in that environment.

While Windsor has been identified in this study by the individuals who wrote this paper, it's of concern to every industrial city and it's of concern to the province as a whole. I hope the entire House will support the resolution and we can look forward to an excellent report coming out of a select committee to determine what—and if—are those links between the environment and our health.

**Ms Marilyn Churley (Toronto-Danforth):** I would like to commend Mr Duncan for bringing forward this important private member's resolution this morning and say how pleased I am to see his quick response to the report, which came out some time ago in Windsor, a very alarming report that suggests the illness and death rate for people in Windsor is significantly higher than the Ontario and Canadian averages. This was published in a report entitled Community Health Profile of Windsor, Ontario, Canada: Anatomy of a Great Lakes Area of Concern.

Since this report came out, I'm sure there's been a lot of discussion in Windsor about it, but we haven't heard much discussion here in this chamber, as we have been preoccupied with many other issues. I want to remind the House that there are many individuals and groups, doctors, organizations, that have been toiling away over the years on the prevention of cancer. I want to remind members of the House that in 1994 Ruth Grier, when she was Minister of Health—she had been Minister of the Environment—put in the public sphere a report called Recommendations for the Primary Prevention of Cancer. It is true that this report is focused more on cancer than on any of the other diseases. We well know by now that there is a whole litany of ways the environment can affect our health.

What we hear most about in this Legislature these days, for obvious reasons, is water. The water we drink can kill us or make us ill. We know the air we breathe can cause up to 1,900 people to die premature deaths in Ontario due to smog. Soil contamination from carcinogens, heavy metals and other toxic substances that endanger our kids can work their way into our water. Water quality has clear links to human health and is under threat from so many areas, including contamination from toxic dumping, nutrients, and the list goes on.

I believe it's a very good idea to bring a select committee together so that we can attempt to work, in a non-partisan way, to bring in all those experts out there who have been working in this area for so long. Hopefully now the entire Legislature is ready to work together for that common goal.

I want to remind people that on April 18, 1996, I brought forward a resolution in this Legislature that



talked about cancer being one of the leading causes of premature death in Ontario, "claiming more than 20,000 lives annually," and noted that Ontario "currently spends in excess of \$1 billion a year on cancer treatment."

The previous, New Democratic Party government recognized this dire threat and commissioned a task force to advise on ways to effectively stem the rising incidence of this disease. Unfortunately, our government was defeated shortly after that report came out. I asked specifically in my resolution—and surprisingly I got the support of all three parties—to set up not a select committee but something very similar to that, with all three parties being represented. That would be a committee "consisting of environmental, health, labour, industry, women's, aboriginal and other interested groups," and the government of Ontario should "work with that committee to establish realistic and measurable timetables for sunsetting persistent bioaccumulative toxic chemicals that are known or suspected carcinogens as outlined in this report of the task force."

I'm glad to see that the resolution before us today goes further than that and talks about the direct link between all aspects of our health and the environment.

I don't know if you're aware but there are over 70,000—just try to imagine that—artificial chemicals that we've allowed into our environment. Of course we have no idea how these chemicals interact and, once they do interact, how they react to each other. In October 1993 the Ontario Minister of Environment and Energy released primary and secondary lists of candidate substances for bans, phase-out or reductions and other lists by other bodies that had been submitted to the public in this same area.

Obviously it's not possible, once that chemical, that persistent toxic substance is out there, to remove it. So the focus has got to be on prevention of the use and production and generation of these substances in the first place. As that report pointed out, certain classes of persistent toxic chemicals are of particular concern. One of these classes that we're hearing a lot about today is organo-chlorines, which includes such chemicals as DDT, PCBs and dioxins. Organo-chlorines have been found to act as tumour promoters and there is growing evidence that some of those substances can mimic the effects of estrogens on cells and are likely causing birth defects and reproductive problems, such that they can have very serious long-term effects on the reproductive abilities of future generations.

Those are some examples of the things we need to be looking at—all of the links. Bring in all of the experts who have been working on these issues for years and try to find common ground and begin the process of phasing out and getting rid of some of those persistent toxic chemicals that are going into our food chain and are having a direct effect on and a direct link to the reproductive systems of women who are giving birth to children, to breast milk.

We know that the incidence of breast cancer and prostate cancer and testicular cancer, particularly in

young men, is growing at an alarming rate. Studies have shown that in a very large percentage of those, the causes are not known.

Direct genetic links cannot be found. That is why it's so important that we find ways to get together and try to come to some conclusions and some ways, in a non-partisan fashion, that we can start the work of eliminating some of these toxic chemicals from our environment.

#### 1040

Pesticides are an issue that we hear a lot about these days. There is enough evidence out there to show that some of these pesticides can have very bad health effects on our children, yet we have a government that is doing nothing about those pesticides. Perhaps there is a feeling that we need more evidence, more proof, that those pesticides are having a negative effect on our health, particularly on our children's health.

A large number of man-made chemicals have been released into our environment, and there are a few natural ones, but they are having the impact and the effect of making our children sick. We see more and more instances of cancer.

I do want to commend the member for bringing this resolution before us today. I recently sat on a task force, a special select committee on alternative fuels, and I'm pleased to say it was a very effective and well-run committee where, at the end of the day, we released a report. Yes, there were some compromises made, but actually it was a very good report with far-reaching recommendations for the government of the day and other governments to follow.

What remains to be seen is what the government does with that report. I'm disappointed that this report that came out shortly before we lost government in 1995 was never acted on. I'm disappointed that on several occasions in this Legislature I asked the Minister of Health of the day and the Minister of the Environment to work together with me to form this committee and it never happened. I have letters in my file. I have a big file here of correspondence to show my attempts to bring the Legislature together with experts in the field, but it never happened.

I do hope, and I believe from what I've heard today, that attitudes have changed, that there is no longer such a fear of bringing together all members of the Legislature and that we can work together and come up with common recommendations. That, after all, is the reason we're here: to work together as legislators to try to do the best we can for our constituents across the province.

Congratulations to Mr Duncan for bringing this forward today. I certainly will be very pleased to serve on this committee.

**Mr Doug Galt (Northumberland):** I appreciate the chance to respond to the motion being put forward by the member for Windsor-St Clair. I empathize very much with him. I'll be supporting his resolution and I thank him for bringing it.

I think what an ideal time—I don't know if this was planned or accidental—to be debating this in late June. I

think it's a perfect day to bring it to our attention and have a close look at it.

I have a quote from Mikhail Gorbachev: "The 21st century will be the century of the environment." I think he's absolutely right. That was stated some time ago, probably a decade ago, but certainly those are prophetic words that are going to be true in Ontario and probably true worldwide.

On his suggestion of a select committee, I was just having a chat with my good friend Jim Bradley about this select committee. I've been fortunate to be on both of the select committees we've had since I came to office in 1995. The select committee on nuclear affairs was a very satisfying experience for me. It was struck back in 1997. Then, to be able to chair the most recent select committee on alternate fuel sources—I was just chatting there a second ago about the fact there was a total consensus. I think it puts us in good stead with what select committees can in fact do for this Legislature and for, particularly, the people of Ontario. During the writing of the report the door was closed, the party hats were left at the door and we just sat down and worked for the good of the people of Ontario. If select committees can do that into the future, I think we can accomplish an awful lot for the Legislature and for the present government.

That particular report on alternate fuel sources can certainly put Ontario out in front as leaders in looking after our air and looking after our water, particularly some of the thoughts on the production of electricity. There is a tremendous amount of interest in the province looking at wind turbines. They felt our report was very positive, the fact that we're promoting the idea of run-of-the-river hydraulic plants. I think it has been overlooked because of the power, if you'll excuse the pun, of the nuclear plants. I'm disappointed that with all that power that's available at night they haven't been producing hydrogen over the last three or four decades and powering some of our urban buses and reducing the pollution that is present in our urban centres.

Just a gentle challenge to the opposition parties: when you're on the right, you tend to think that's the party that's all about economics, and when you're on the left, that's the party that's all about the environment. But a tremendous number of changes have occurred and a tremendous amount of legislation has been brought in by our government since we took office in 1995 for the good of the environment. I challenge the opposition parties with what they brought in when they were in office. I know they did bring in some things, but I think our party while in government has been exceptional with the number of changes that we've made. I know that we must indeed protect our air, water and land to ensure a healthy, vibrant community. Ontario is no exception to this rule and that is why Ontario has taken numerous actions during the more than seven years we have been in office.

Air quality is perhaps one of the most important environmental issues that concerns Ontarians, especially those of our citizens who are elderly or who are suffering from asthma or other difficulties. Last week we proposed

to add fine particulate matter to Ontario's air quality index. Although medical and environmental groups recognize Ontario as having one of Canada's best air quality monitoring system, improving the system will better protect the health of the people of Ontario, especially those who are vulnerable to poor air quality, like children, people with asthma and the elderly. Our youngest daughter has asthma and of course we're quite concerned about it. She's a delightful young lady who, by the way, just got married last Saturday.

Also in June of this year, Ontario's new emissions reporting registry on air went on-line, making polluters more accountable to the public by providing regular information about what emissions are being put into the air and by whom. This will of course allow consumers to make informed decisions about whom they want to do business with, to know which companies are doing the best job of minimizing their environmental impact and to motivate poor performing companies to do a better job, either by voting with their feet or by actively lobbying those companies to improve their performance.

Talking about the air quality index, I should also mention that our government has already spent \$5 million to upgrade Ontario's air monitoring network. As well, the air quality index reporting system was expanded into the rural areas and high-growth areas for the GTA. These two initiatives in June are in addition to many other government initiatives to improve the province's air quality.

Our government's anti-smog action plan is a commitment to reduce the nitrogen oxide and volatile organic compound emissions in Ontario. The goal is to reduce these two emissions by 45% by 2015 when compared to the base year of 1990. In October 2001, the government proposed to tighten this deadline, moving it from 2015 to 2010.

Also, in October 2001, the government set strict emission caps on the six fossil fuel electric plants currently owned by Ontario Power Generation. When fully implemented in 2007, the caps would cut emission limits of smog-causing nitrogen oxide by some 53%, and sulphur oxide by some 25%.

Again, I come back to our member from Windsor-St Clair, and compliment him on bringing forth this particular resolution. I look forward to voting on it and expect that this particular resolution will pass.

**1050**

**Mr Richard Patten (Ottawa Centre):** I am pleased to join the debate this morning to support my colleague's resolution to strike a select committee for an examination of the relationship between health and the environment.

The member from Windsor-St Clair makes the point that the select committee on alternative fuels brought forward an excellent report, with recommendations supported by all three parties, and I hope at the end of this debate we will have the same kind of consensus that we did on the alternative fuels committee.

Mr Speaker, I know that you and many of my colleagues are aware that I have a special interest in causes



related to cancer. The information on causes and effects is overwhelming. We probably could fill this House with all the materials that are available. This speaks to the need for this select committee to do a thorough job to review the literature and findings and make recommendations to this House to ensure that the people of Ontario receive a coordinated approach to research and development. This committee has the potential of advancing research and, ultimately, the health of our citizens.

Let me give you a few facts. Women in Canada are a thousand times more likely to be diagnosed with breast cancer than women in China—I repeat, a thousand times. There are reasons for this. It's not because it's purely one thing or another but rather a multiplicity of things. It relates to the environment. It relates primarily in this case, though, to diet.

Dr Norman Boyd, head of epidemiology and statistics at the Ontario cancer centre, believes that differences in diet and exercise may explain much of the high rates for Canadian women. Some experts believe that hormone replacement therapy, bleaches, lipsticks and dishwasher fluids play a role in breast cancer. Estimates for women in Canada diagnosed with breast cancer are 20,500 this year, an increase of 1,500 this year alone. Environment is another, the external environment. The member earlier talked about the internal environment; it is correct that that is also a factor. But experts in the field believe we need to know what role the various environments play, and I agree. How do we tackle the problems if we don't know the causes and the effects?

This week in Hamilton the federal environment minister told participants attending a global conference on water that water will be the overwhelming issue of the 21st century, of 100 years we are entering. The president of the Great Lakes Commission said, "Developing countries face desperate problems." He went on to add that there is a crisis in the developing world, specifically the Great Lakes-St Lawrence region. This is where the majority of our population here in Ontario live. Water is essential to our existence. We learned from Walkerton how essential water is and, where there are problems, just how life-threatening tainted water can be. Justice O'Connor told us the causes of this failed system.

I'm not sure the government listened. Bill 81, the Nutrient Management Act, was forced through this House. This bill is the very essence of why we need this select committee. If we as legislators are forced to push a flawed bill like that through the House, without knowing the full details of the regulations, how can we ensure the safety of Ontarians? This bill leaves more questions than answers, in my opinion. I don't know how the government could expect us to pass a bill when they can't even tell us what constitutes a nutrient.

What is it that we are flooding on our fields and what will be going into our water systems? We don't know. What we do know is that untreated human waste is still being spread on farmers' fields, the very fields from which we get our food, and this government is going to

privatize oversight of nutrient inspection, administration and training services. So we will have one set of rules applied across the province, administered by private firms.

In brief, I would like to point out one matter of extreme importance. The World Health Organization has called an emergency meeting to review evidence that basic foods contain carcinogens. These are foods we all eat, but when fried, baked or grilled at high heats, dangerous levels of carcinogens have been found. These foods are potatoes, rice, bread products. These are foods we all eat. If even the simplest foods can be detrimental to our health, if the water we drink, cook and bathe in can be detrimental to our health, if the air we breathe contains contaminants, if we are spreading human waste on our fields, there is no doubt that it is time we finally review this matter in depth. That's why I'm happy to be here today to support the proposition and the resolution to create a select committee.

**Mr James J. Bradley (St Catharines):** I wish to speak briefly to this particular resolution, which I think is important: the establishment of a select committee. I think all of us, in each one of our constituencies and in each of our political experiences, recognize that the question continues to be asked, what is the relationship between our general environment out there and health?

The Minister of Labour is here this morning. He would know, from his briefings and from his own knowledge, that there are contentious issues that exist within the workplace. There is evidence that exists that within the confines of a workplace, certain contaminants, certain chemicals, certain toxic substances may well have an effect on individuals. It's probably even easier to quantify in that case than it is in the general environment.

If you ask people why we have relatively widespread breast cancer, for instance, it doesn't seem to lend itself to any easy answer. Many people out there have asked the question, is it something in our environment? Is there something out there in our environment that impacts upon our health? That's why I think a select committee of this kind is very useful.

Mr Galt, when he was speaking earlier as the Chair of the select committee on alternative fuels, pointed out the value of a select committee. Frankly, I'm a great fan of select committees. One reason is that it focuses attention on a fairly specific area. The second is that people tend to be far less partisan in their consideration of the issues at hand in a select committee setting than they will be in one of the standing committees of the Legislature, which by their nature—and I don't say this in a critical way—are an avenue for partisan exchange.

I was very impressed, and somewhat surprised, I must say, because there haven't been that many select committees around to make a judgment on this, at the consensus that was reached. If you read the report of the alternative fuels committee, there are some pretty radical recommendations, pretty sweeping recommendations in it. Yet there was a strong discussion in the committee. When we were doing the report writing—first of all, we

gathered excellent information from people who made presentations to us. We had certain visitations where we were able to glean some information. Then the real work came along when we had to write the report. I watched people with pretty divergent views and philosophies, all of us on that committee, work together to develop a consensus and come up with a report that I think is an excellent blueprint for not only any government in Ontario but any government in any other jurisdiction on how we can move away from our dependency on fossil fuels, for instance, to renewables, alternative fuels which are much more benign environmentally and do not consume valuable fossil fuels which could be used for other purposes.

I think this committee, which grows out of an experience in the city of Windsor, which has been impacted by environmental problems, without a doubt is a good idea. I think there are members of this Legislature who have a specific interest and would want to be part of this committee and would want to develop a report.

One of the important parts, it seems to me, in this committee is going to be the gathering of information. That's going to be extremely important—credible information, because there's a lot of conjecture out there. If you go to almost any city in a jurisdiction, if you're the Minister of Health or Minister of the Environment or Minister of Labour, they will say, "We have the highest cancer rate in Ontario," for instance, because we see an incidence which is somewhat concerning to all of us, and understandably so. So we want to determine whether there is indeed a direct impact from the environment on our health. I think ministers would be interested. I think members of this Legislature would be interested.

Once again, it's not only for our own purposes in Ontario, though that's our primary purpose as legislators in the Legislative Assembly of Ontario. Also, I think what we find through the select committee could well be of value to people in so many other jurisdictions.

1100

**The Acting Speaker:** Further debate? The member for Windsor West—Hamilton West. I'm sorry.

**Mr David Christopherson (Hamilton West):** Thank you, Speaker. That's actually not a bad opening, because it gives me a nice segue into my opening remark, which is that there are a lot of similarities between the environmental issues in Windsor and those in Hamilton.

With that, the first thing I want to do is commend my friend and colleague from Windsor-St Clair, Mr Duncan, who I think has done a real service to this issue by virtue of bringing this here. I don't know at this point—I haven't gone around and asked—whether this is going to pass. I hope it does; I sense that there's a good chance it might. It would definitely be one of the most progressive things to come out of this Legislature, and I mean that in the sense of all of us as elected members of our communities as opposed to being broken down into three separate camps.

Just this week, in fact on Monday, in the Hamilton Spectator, in a regular column by Lynda Lukasik. Lynda

is an environmental activist who lives in the east end; I believe she lives in Dominic Agostino's riding. She's the founder of Environment Hamilton, a citizens' organization. She just recently received her PhD in planning. This is what she said in Monday's article: "It's time to speak out. We've become guinea pigs in a very large, very uncontrolled scientific experiment, the outcome of which remains unknown. The reality, though, is that we are inextricably linked to the environment around us."

That, in a nutshell, is why I think all of us should support this. There's nothing partisan about it. There's no sense of "gotcha." There's no sense of trying to set anybody up. There are so many issues contained in here. For instance, it was reported in May, just last month, that in the area from Oakville to Brantford, Milton to Niagara Falls, in 1997, 350 tonnes—350 tonnes—of toxic chemicals and carcinogens went up the smokestacks of our industrial facilities. Three years later, it's up 72%, and in that same area of our province, which of course encompasses my home town of Hamilton, it's now at 600 tonnes of toxic emissions going into all those communities.

We really don't have a touchstone we can refer to to say, "Here's the damage that's done," and therefore it either justifies or doesn't justify the expenditure on whatever issue might be in front of either a local city council or this provincial government, or in fact the feds. We don't have that starting point.

How many of us who served on municipal councils have dealt with the issue of pesticides? It continues to be an issue in Hamilton. I suspect it's an issue in Windsor, Sault Ste Marie, right across the province. Most councillors really don't know where to go. Obviously, none of them wants to poison their own citizens, but they don't want to overreact. It's a big issue locally. It may not seem like it in the context of headlines these days, but it's a big issue when you're dealing with local politics. This would give us a chance to deal with that.

In Hamilton, this issue resonates so strongly. First of all, the Red Hill valley expressway: there are studies that can show how many children are going to die and how many elderly people will die and how many children and other citizens will contract asthma and other respiratory diseases because of that expressway. Anything we can do to show that plans where we spend money from the provincial government are going to kill people is information we ought to know.

In Hamilton we also experienced Plastimet. We are so lucky that no one died there; that could easily have been an environmental massacre. SWARU in the east end of Hamilton continues to be one of the major polluters in Canada. Yet we don't show the leadership in this place to do something about that. There are literally tens of thousands of new chemicals coming into our environment and we have no idea what the impact is on the human body. It has become far too acceptable to think about someone who has died of cancer as having had some kind of normal death. There's nothing normal about dying of cancer.



**The Acting Speaker:** Thank you. The member for Windsor West has two minutes to sum up.

**Mr Duncan:** Windsor-St Clair.

I want to thank the member for Barrie-Simcoe-Bradford, Mr Tascona; the member for Toronto-Danforth, Ms Churley; the member for Northumberland, Mr Galt; the member for Ottawa Centre, Mr Patten; the member for St Catharines, Mr Bradley; and the member for Hamilton West, Mr Christopherson. I want to respond briefly to what has been raised by them.

Mr Tascona talked about the terms of reference. I've set the resolution so that the government and the opposition can negotiate that. This is a broad topic. It's something we want to have a meaningful, effective report from, and I'm sincere when I say it's important that we can agree to the terms of reference.

Ms Churley spoke with some experience and passion about bringing people together on complex issues that involve chemical interactions, cancers, the human body and so on.

Mr Galt and Mr Bradley spoke with some knowledge about how effective a select committee can be. Candidly, it was watching that committee and our Legislative Assembly committee that led me to believe this is the right step to take, a small but meaningful step.

Mr Patten of course brought the passion of his own battle with cancer to bear on this debate, and what he has learned about the linkages between our environment and cancer.

Of course, Mr Christopherson has always spoken passionately about his own community's experiences as well as the issues around cancer.

To the people in my own community, we live in some fear of our environment and what effect it's having, particularly on our children. I believe all of us in the Legislature share those concerns. Of 103 members, I would say 103 are unquestionably concerned and would like to have the opportunity to do something. The government members indicated their willingness to support this. I hope that happens at noon. I think this will be a small but important step we can take to begin to address a very complex and challenging issue.

**The Acting Speaker:** Thank you, with apologies to the member from Windsor-St Clair.

#### TENDER FRUIT LANDS

**Mr James J. Bradley (St Catharines):** I move that in the opinion of this House, the government of Ontario be urged to establish an agricultural preserve in the Niagara Peninsula similar to that in the Napa Valley in California, in order to protect tender fruit lands from further development.

**The Acting Speaker (Mr Michael A. Brown):** The member has 10 minutes for his presentation.

**Mr Bradley:** Thank you, Mr Speaker, and 10 minutes would not be enough to easily deal with all the issues related to this issue, but as I indicated in a little note I sent to members of the Legislature, the purpose of

bringing this issue forward is to get a discussion going on how best to preserve agricultural land.

To put a little bit of focus on an actual preserve itself, this kind of preserve exists in many other jurisdictions, both in Canada and the United States. What it is designed to do is to retain good agricultural land for agricultural purposes. Governments across North America are talking about smart growth now. How do we best use the land we have for the benefit of the population as a whole? In my view, that is a good discussion, and that kind of debate is very helpful and very public at this time.

I focus on the Niagara Peninsula because I am very familiar with the Niagara Peninsula and the fruit lands there. I am alarmed at how quickly it's being lost to development. I think it's a genuine asset to the whole province.

We're lucky in the Niagara Peninsula that we've got, first of all, good soils for the growing of grapes and other tender fruit. The second thing we have, besides good soils, and perhaps even more important, is a microclimate that is conducive to growing tender fruit. It is said that the difference between the growing season on top of the Niagara Escarpment, that is, south of the northern portion of the Niagara Peninsula, and the area down in the little pocket near Lake Ontario is about 27 days' growing, and those are frost-free days. We have as well some of the best farmers you're going to find probably anywhere in North America in terms of tender fruit, people who have had long experience, people who have handed down farms from generation to generation.

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With those three particular assets, it seems to me we would want to preserve as much agricultural land as possible. I wish I could say it could be done through local zoning laws, but it can't. It's very difficult for municipal politicians to resist the temptation of development, because development is instant money. It is often looked upon as success. Indeed, we want to see development in certain places that are not on agricultural land. One of the initiatives we've seen in this Legislature has been that of a focus on brownfield development. The Minister of Municipal Affairs was very excited about being able to move forward with that, and a significant step has been taken. I think that helps very much in terms of getting people to redevelop parts of their municipalities and to intensify their development.

One of the things we all know is that if you want to save the farmland, you have to save the farmer. That's something very basic. It seems to me, and somebody will correct me if I'm wrong, that one of the steps the government took in this budget was to treat farmland in a different way for taxation purposes. That's positive, in my view. It's difficult sometimes for those of us in opposition to look at budgets. They always say, "What is good about the budget?" You can always find some things, and that's one step that I think is important in preserving this land.

From the legislative library and other sources, I have a number of things that are being done around North

America, not only in the Napa Valley of California, which is highly successful agriculturally and tourist-wise—it brings in well over \$1 billion per year in just the revenues from the selling of wine—but many other areas and states in the United States that have found ways to assist farmers, while keeping the farmland for the purposes of agriculture. I'd like to see us look at these. I mentioned in my note to members of the Legislature that I wanted to get a discussion going. I want to get that discussion focused, however, on some kind of agricultural preserve.

I'm not going to be specific today. We've mentioned select committees. Frankly, I think it's a great topic for a select committee. We have some members here who have direct experience in agriculture, in the marketing of our products and so on. I think it would be valuable to have them in to tell us how we can best preserve this land. I don't think any one of the plans I see in the various states in the United States and other jurisdictions in and of itself is necessarily the solution; perhaps a combination is. A combination would be very helpful.

I look at that land and some people would almost cry when they see that good agricultural land being lost. I was reading in my own local newspaper about the member for Stoney Creek, the Minister of Labour, and his commitment to the preservation of agricultural land. He sees it in his constituency and in his general areas—areas that were once really top-notch areas for agriculture being lost to development. Again, in some cases we want to see development take place. This is not something designed to block development, but it is something designed to make sure we can retain good agricultural land for good purposes.

The Minister of Consumer and Business Services is here. He has certain responsibilities for wine, and as Minister of Tourism he had certain responsibilities. People come from other parts of the province to the Niagara Peninsula not to see more shopping centres, as they might see adjacent to Toronto—Mississauga has some great shopping centres. So have we; we want to say that. But generally speaking, you find people from the Metropolitan Toronto area come to our area to enjoy the rural experience, to enjoy what are now top-notch wines and to get tender fruit they can get right at a fruit stand. It's top-notch, fresh and of the highest quality. That's why I think it's going to be important for us to try to look for ways to implement smart growth as it relates to agriculture.

I know that it's nice to have your own food supply. We know we keep our prices reasonable for Canadians when we have some competition here in Canada. If we don't have the competition from our own local growers, we will be gouged by people outside. But we still have to make sure our local growers have programs in place that ensure they're not penalized by being compelled to retain their own land for agricultural purposes.

I see urban development taking place. I have statistics from the Niagara region which show how much we've already lost of that agricultural land and how important it is to preserve that which is left. We also have a situation

where you'll see developers buy up land and then don't farm it. They go to the local council and say, "See, it's not being farmed anyway, so we might as well develop it." That does two things: it militates in favour of development of good agricultural land, but it also drives up prices so farmers themselves who may want to expand their operations, if they are able to do so, have to pay a huge price for that land. It artificially drives up the price of that land for farmers who may need it for expansion purposes.

I also know there's the issue of severances. The Ontario Federation of Agriculture has expressed its concern from time to time about severances because that's death by a thousand cuts. If you are not careful in giving severances—and I'm not saying there isn't a case from time to time for severances, but if you allow them to be given willy-nilly, if you allow them to be traded one municipality to another municipality—and that's what happens, now that it's not under regional control, it's back under local control—ultimately the region probably has to agree to these severances. People start bargaining: "You give me my severance in my community and I'll give you your severance in your community." That's death by a thousand cuts.

What happens as well is, it starts to urbanize rural areas and then you get people complaining about natural farm practices. Farmers in this House would know that. You have urban people move out to enjoy the countryside, only then to want to impose upon the countryside the urban conditions they came from in some circumstances. You get complaints about noise, odours, dust and dirt from people who have moved from an urban setting to a rural setting.

I think it would be a national tragedy to lose this farmland. I think we have a chance to preserve it for future generations. I don't want to pretend it's an easy thing to do, but I do want to say this: if you don't preserve the farmers, if you don't assist the farmers in ensuring that they get a reasonable return, whether it's through programs from the government or the prices that are paid for the products, then you won't save the land. I want to save the farmers as well as the land, but it's going to take a bold step from a provincial level of government to do this. I think our Legislature has a chance to do that today by, in general terms, approving this resolution.

**Mr Peter Kormos (Niagara Centre):** I speak on behalf of the New Democratic Party caucus with enthusiasm for this resolution. I'm rather fortunate because I get to go to the Niagara South Federation of Agriculture dinners because part of my riding is Niagara South. The member from Erie-Lincoln gets invited to those too. I also get to go to the Niagara North Federation of Agriculture dinners, where Mr Bradley is inevitably in attendance as well. Mr Bradley doesn't have the blessing I have of being invited as frequently to Niagara South, although I suspect if he asked them to, they would.

But why I make a point of this is that there's a remarkable contrast in agriculture in Niagara region.



When we're down at the Niagara South Federation of Agriculture dinner and the annual meeting—and the member for Erie-Lincoln will confirm this, I'm sure—we're talking about some diverse types of farming and agriculture: chicken, cattle, among others, some crop farming. But when we go up to Niagara North and sit down with those farmers at their annual meeting dinner, we meet second, third and fourth generations of tender fruit farmers. We also meet newcomers.

I was grateful for being given a copy of Doug Draper's article in *Vines* magazine. Doug Draper is a very bright and very capable journalist down in Niagara region, who has written a very succinct and powerful argument for the need to preserve agricultural lands in Niagara. Although this isn't unique to Niagara, Niagara is unique in terms of the types of agricultural lands that warrant our prompt attention.

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As I say, in terms of families where three, four and even five generations have been farming the land in Niagara north and Niagara south—in Niagara north there are tender fruit farmers operating vineyards. Mr Draper in his article in *Vines* magazine writes of Michael Kacaba, for instance, a newcomer to Niagara, investing substantially, not only money but also his family's future, their lifestyle in developing a small vineyard to a company to provide grape product for a small boutique winery. I've got to tell you: travel along Highway 8 from, oh, Grimsby down through Niagara region east and you're confronted by—you can travel down that road in May and think you've seen all the wineries that are there, but go again in June or July and you discover yet more, and all of them not only with delightful product but some of them, in increasing numbers, award-winning, and on an international level in an unprecedented way.

So we indeed are the trustees of an incredibly unique and, yes, valuable—invaluable—heritage. Once you pave it over, there ain't any more—ever. And you can never build it; it's not like building a new one. Nothing short of God and millions of years of history can create the microclimate we find north of the escarpment, down there along the shores of Lake Ontario, not only the microclimate but the incredibly rich soil, the two combined creating—if the west is the wheat bowl—the fruit bowl, not only of Ontario but also of Canada, especially when it comes to tender fruit.

I was also especially grateful and especially proud not only of my association but also of my predecessor Mel Swart's association and his strong support, like mine, for PALS, the acronym for Preservation of Agricultural Lands Society. This is a group of committed people who over decades now—hasn't it been, Mr Bradley?—have been fighting to preserve agricultural land in Niagara region. Their first president was Dr Bob Hoover, a professor at Brock University—still very active, mind you, very much a senior citizen but you wouldn't know it in terms of how active he is in the community and how active he remains in the fight to preserve agricultural land, along with so many others. PALS itself has nur-

tured leadership that's matured through the years. Our own Dr John Bacher from St Catharines, along with others, has developed some incredible expertise around (1) the need to preserve this agricultural land and (2) methods by which it can be meaningfully preserved.

At the end of the day, the fundamental battle is between developers—look, far be it for me to tell developers they shouldn't want to develop what is very expensive housing on this very unique land in this very unique microclimate situation. Of course they want to. That's a tribute to the uniqueness and high quality of it. I acknowledge that if they're unfettered—you see, this government wants to let the market prevail. This government has been disinclined to understand the role of government in terms of its need to be interventionist and, yes, to protect people and our most valuable assets and our future from the incredible pressures of the free market. If developers have their way—and since, what is it, 1997, they have—that tender fruit land is going to be gone; it'll be eliminated and it'll never be returned. It'll take millions and millions more years and yet more historical accidents globally for another similar climate and chunk of soil to be created, and it could be a hundred miles from here or it could be 1,000 or 10,000 miles from here.

Now, back in the early part of the 1990s, Bill 163 provided part of the solution. One also has some significant sympathy for farmers, who have seen their fruit prices under attack by virtue of free trade and the huge growth of the importation of mega-farm fruit from the southern United States, particularly California. Farmers have been under attack. Farmers have not seen the subsidies and support in this province and in this country that farmers in other western countries have enjoyed—quite frankly not “enjoy” in terms of receiving it with such great pleasure, but acknowledgment by the governments of those other countries that an intrinsic agricultural industry is in and of itself an extremely valuable and important thing to preserve. If you forfeit production of your own food and become reliant on another jurisdiction, then you are enslaved forever. While you can tear down a building and build a new one, you can't pave over land and then hope some time down the road to re-soil it and restore its agricultural potential.

So we have a historic and national interest in preserving this agricultural land. And I've got to tell you that I am incredibly persuaded by the years, the decades of work PALS has done research on the issue. Indeed Gracia Janes provided me with a copy of her address made in Guelph in April this year on behalf of PALS, the Preservation of Agricultural Lands Society, where she talks about PALS's history, its process of canvassing various approaches and techniques. Its final conclusion: the free market is the antithesis of preservation of agricultural land. The pressures are so strong, so profound—again, farmers under attack with their diminished fruit prices because of the competition that was permitted as a result of the free trade agreement and the absence of meaningful governmental support, unlike farmers in

other jurisdictions in so many other countries—that farmers find themselves, after lifetimes of farming the land and being good trustees of it, with no option but to sell it if they're to have any sort of retirement with any decency or dignity.

One has to understand and be sympathetic to the pressures those specific farmers have, especially when generation after generation of the land has been farmed but younger generations don't find the farm life, with its incredibly long days and heavy workload and modest income, to be attractive in contrast or comparison to the careers that are available to them. So we understand, and I'm sure the author of this resolution understands, the interests of farmers. But those same farmers also understand the interest in preserving the land, and that's why the Preservation of Agricultural Lands Society, after as thorough and complete a course of research as could ever be conducted, has been an advocate of, and the New Democratic Party government of the early 1990s in fact enacted, the concept of creating agricultural land reserves by virtue of easements.

We know that we can't rely upon mere zoning, because subsequent governments can alter that zoning, governments like this one, that are the little puppets of the corporate developers—and for reason: corporate developers have invested a lot in this government, and this is the best government the corporate developers could buy, or rent. When you take a look at campaign contributions and you see who has supported this government and its candidates financially, you see to whom this government is beholden, and it is those same corporate developers. So mere legislation and mere land zoning in and of itself isn't sufficient, because subsequent governments can alter it, change it, flip it, what have you.

The most concrete, meaningful and historic way of preserving agricultural land is through the easement system proposed in Bill 163 in the early 1990s—a policy reform that was underway in a meaningful and effective way, because it also compensates the farmer for reducing the value of his land to mere agricultural usage as compared to the value it would have for development purposes—for residential and commercial purposes.

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So the farmers' interests are met in terms of its being compensatory. Does it cost money? Yes, but as PALS points out and as Doug Draper would point out, in contrast to the incredible investment we have made, as a succession of governments, in the wine industry, for instance, in Niagara, it's but a pittance, and we have a strong interest in maintaining that wine industry. One of the observations that has been made is that with the growth of wineries and the expectation and promotion of Niagara wines, the access to land adequate to grow the grapes to make those wines is rapidly becoming so restrictive as to constitute a restraint or constraint on the growth of the wine industry in and of itself.

This government could have taken this bold step, though it didn't, but we all advocate, I hope, that Ontario wines should be 100% Ontario grape, bar none. If there is

even one grape from elsewhere in a bottle of so-called Ontario wine, then sorry, it's not Ontario wine. Why should we as Ontarians be taking any other position? We've got farmers and wine makers down in Niagara working hard, making major investments and bringing kudos to Niagara and Ontario, and darn it, they need the support of government. At the very least, government could make it quite clear that Ontario wine means 100% Ontario grapes.

New Democrats endorse this resolution. New Democrats indeed continue to advocate for the easement system that was put into place by Bill 163, the policy endeavour that was crushed rapidly by the Conservative government shortly after they attained power. New Democrats condemn this government for its indifference to the preservation of agricultural land in Niagara and, quite frankly, in other parts of Ontario as well. But the focus today, of course, is Niagara.

New Democrats continue to stand with PALS, the Preservation of Agricultural Lands Society, its leadership and its membership. New Democrats continue to support the initiative of PALS, and New Democrats call once again for the establishment of a land easement system that will preserve this agricultural land, not only in the short term but quite frankly forever, and that will do so in a fair way, that will do so in a way that financially compensates the farmers who deserve financial compensation, a land easement system that will ensure the preservation of agricultural land in Niagara for generations—not just decades but centuries to come.

Anything less is mere tinkering. Anything less is less than a sincere commitment to the preservation of this unique, scarce and valuable asset of Ontario and indeed all Canadians.

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I am pleased to speak to this resolution this morning, put forward by the member for St Catharines, a resolution proposing that the Ontario government establish an agricultural preserve in the Niagara Peninsula to protect the tender fruit lands from further development.

As parliamentary assistant to the Minister of Agriculture and Food, I can assure the member for St Catharines that our ministry and our government is absolutely committed to working with our agri-food and rural communities to strengthen, to sustain and safeguard our rural environment and our food production systems.

This government fully recognizes the important contribution that agriculture and the food sector make to this province. Clearly, the economic benefits are enormous, and we're committed to the tender fruit and grape growing industries. I will mention, for example, that we're funding a five-year, \$10-million OSTAR development grant to promote and increase the domestic and international market share of grape wines grown in Ontario.

On May 10 of last year, Ontario's profile as a world competitor in wine making got a big boost with an investment of more than \$2 million under the Healthy Futures program. Together with our industry partners,



we're building the wines of Ontario as a word-class brand which will increase investment and economic activity and certainly create jobs. The ministry also provides a great deal of technical expertise and advice to tender fruit and grape growers to help them improve and protect their crops.

With respect to land use planning in the peninsula, we certainly recognize the importance of the Niagara Escarpment Commission and, more recently, the Smart Growth initiative of this government. I'll make mention as well of the mid-Niagara corridor planning process. This is a process, in part, to relieve pressure on the area below the escarpment from the QEW, which presently, and regrettably, runs through Niagara fruit lands.

I also personally would like to make mention of a Manitoba program I've been looking at, the ALUS program. This stands for alternate land use services. It's piqued the interest of farmers in my riding. It's a conservation program that encourages farmers to set aside marginal land, wetlands perhaps, for natural wildlife habitat. It's a voluntary program. I recognize that it goes beyond what this bill is proposing. Mr Bradley may wish to take a look at the ALUS program.

I could expand further on some of these initiatives, but I will be splitting my time with some of my colleagues. I'll close by saying that with respect to the initiative taken by the member for St Catharines, I cannot support this resolution simply because establishing an agricultural preserve in the Niagara Peninsula is not the responsibility of the province of Ontario; it's a decision to be made by local municipal government. Both the province of Ontario and the state of California have very similar approaches to land use planning. We believe that the province's role is to provide strong land use planning policy directions to municipalities, as does the state of California, and to allow municipalities the flexibility to develop within these directions according to local needs, as Napa county has done in establishing the preserve in the west.

I support the protection of agriculture—I own a farm—but, in light of my preceding comments, not this resolution, not that the Ontario government be the one to establish an agricultural preserve.

**Mr Gerry Phillips (Scarborough-Agincourt):** I'm pleased to be joining the debate in support of my colleague from St Catharines. I'm disappointed that I gather the official government position will be against this resolution. I think if we reflect on one of our key roles here in the Legislature, it is to look ahead at how things are going to unfold, and where we have enormous public assets in significant danger of being eroded, the Legislature has a responsibility to act.

I just reflect back. Algonquin park was a decision by the Legislature of Ontario, where it was seen that logging was going to run the risk of destroying an enormous asset for the province and we stepped in. The Niagara Escarpment is another example where, among other things, as the province looked ahead and saw that piece by piece the Niagara Escarpment, I think heavily because of

aggregate producers—people were going to mine the rock and the stone there. The province felt a responsibility to step in and preserve it. Thank goodness we did.

I've been most directly involved in two things. With the Rouge park, contrary to what the parliamentary assistant to the Minister of Agriculture said, the province did step in and established, among other things, an agricultural preserve. I might add that my colleague Mr Bradley was deeply involved in that decision. That decision was made as a result of the community launching a very, very effective effort to persuade the government of the day—it happened to be a Liberal government—to take action to preserve the Rouge treasure. Governments of all three political stripes—the Liberals, the NDP and now the Conservatives—have embraced that and have actually expanded it.

The most recent one—and my colleague Mr Colle was deeply involved in this, and I personally think the one in the Legislature primarily responsible for making it happen—was the preservation of the Oak Ridges moraine.

All four of those examples are treasures for the province of Ontario, for the people of Ontario, who have said, through their elected officials, "We need action taken to preserve it."

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Now we've got another example. My colleague from St Catharines, Mr Bradley—his thrust, I might add, for the 15 years I've known him here in the Legislature, has been the environment, protecting our environment for the future. For me, and I think for most people in Ontario, if you look at that Niagara area it is a jewel. There are few, if any, people in the area of southwestern Ontario, maybe all of Ontario, who have not visited that area at least once. For most of us it's two or three times a year that we travel there, whether it be for May 24, when the blossoms are all out, or whether it be a trip through the wineries. It is a jewel. There are at least two articles here from presidents of wineries expressing their very significant concern that, day by day, there is an encroachment on that jewel.

This, in my mind, is not unlike decisions the Legislature made—I just quoted four of them: Algonquin park, the Niagara Escarpment, the Rouge park, and, just within the last few months, the Oak Ridges moraine. This has the same significance. An issue like this creeps up on you. Day by day it's an encroachment, unless you have a vision that says that, "10, 15, 20 years from now, we do not want to see this continued incursion into the farmland in that area."

My colleague Mr Bradley also acknowledges that there are people with a huge vested interest in not proceeding with this. That's understandable. Many of them, unless there's a proper plan for dealing with them, would lose financially. I do think we need to make sure that we treat those people fairly. But we have to have the vision here in the Legislature to look ahead and say, "We need to take a step now."

I commend my colleague Mr Bradley for his foresight in doing this, and I would hope that in spite of what I

gather will be the official government position, many members of the Conservative back bench will support this resolution.

**Hon Brad Clark (Minister of Labour):** It is indeed a pleasure to speak to this particular issue, because it's an important issue that has been near and dear to my heart. I want to commend the member for St Catharines for bringing forth the resolution, and also thank him for recognizing that it is something that has been important to me.

We have an opportunity here. Realistically, it is rare in the political world that all the stars start to line up and it becomes a win-win for everybody. The Minister of Consumer and Business Services will speak later on, and he may point out that our wine industry is burgeoning. We now have access to the European market, which means there is more and more interest in Ontario wines. Ontario wines for the most part are grown in the Niagara Escarpment area, down in the Niagara tender fruit lands. There's a reason for it. That area is a microclimate. It is a protected area, from the lake—it's buffered by the lake—and it's protected by the escarpment. The member from St Catharines talked about the Napa Valley. The Napa Valley is a phenomenal experience. This is again a microclimate, but we have an even better microclimate here in Ontario for the growing of wines. People don't realize this, but in the Napa Valley the vintners, the people who are actually growing the grapes, will hire helicopters to come in on hot days to hover over the vineyards to stir up the air so it doesn't cause a drying-out factor on the grapes. It gives them a much better hybrid grape. They go to that extreme to improve the quality. In Ontario we have a prevailing wind that blows over the Niagara Escarpment which automatically stirs it up. We have this incredible microclimate, and we must recognize that to continue to expand our wine market we have to preserve the tender fruit lands.

We have to recognize that development naturally occurs, and it has been occurring. If you look at Hamilton, it is slowly sprawling outwards. We see it happening. I'm from the Stoney Creek riding. We have Stoney Creek and Grimsby in my riding, and you can see the development slowly moving out. What happens historically with development is that the people who move into the community have come from an urban community. They've moved to Grimsby, a wonderful town. It's a quaint town. It's like Mayberry. I mean, everybody knows everybody. It's a wonderful community. So people move from the urban centre to this community and it's a developed area, and naturally when the next development begins the people who are living there say, "I moved here, so why not have more development?" But what I have experienced in my riding is a resurgence of the recognition that they want to preserve what's there. I've had 28 round tables since I've been elected. I've had a number of them on agricultural issues. They want to preserve the tender fruit lands.

The member for St Catharines is absolutely correct. We say, "The municipalities make these decisions."

You'll find this fascinating. I was visited—it was divine intervention, if you will—by a constituent just last week. He came in to speak to me about an issue. He didn't know this topic was coming up from the member for St Catharines. He brought in to me that there is a situation in Grimsby right now where a planning consultant has come in and done a study, and—this boggles my mind—they're saying that the soil below the escarpment in the tender fruit land area is of a lower grade than the soil above the escarpment. A planning consultant has come in and is saying, "You can farm above the hill—we'll put peaches up on the hill—but below the escarpment, where the tender fruit lands are, it's low-grade agricultural land, so we have to develop it." It's the opposite. The low-grade land is on top of the escarpment. Ask the farmers up there. They can't get grapes to grow. You can't grow peaches up there. For anyone to suggest that they can is absurd.

We have to preserve the tender fruit lands below, and that's why, when I was Minister of Transportation, I was so keen on developing the mid-peninsula corridor. I saw it as an opportunity—again, stars lining up. We can push development above the hill and begin to preserve what is really a remarkable piece of property.

So not only do I support the resolution, but I also believe we need either a select committee or a task force where we can do like we did on the Oak Ridges moraine: bring the parties together to start dealing with this matter and proceed in a more prudent way to preserve the Niagara tender fruit lands.

**Mr Mike Colle (Eglinton-Lawrence):** I commend the Minister of Transportation for his position on supporting the member for St Catharines on this issue. The member for St Catharines should be commended, because he always is a pioneer. In this instance he has shown that we have to think ahead and we can't think back.

Hopefully we can get other ministers, as did Mr Clark, to jump on side. This is a no-brainer. It has to be done. It's shocking. In Ontario, there were 7,792 fewer farms in 2001 compared to 1996, about 8,000 fewer farms in Ontario since this government came to power, an 11.5% decline. The Niagara fruit belt, one of the world's premier tender fruit areas, is basically being victimized by this government's smart sprawl policies, which are just paving the place, which are just putting cookie-cutter homes everywhere, and we are losing these incredibly valuable jewels.

Don Ziraldo is the pioneer, along with Mr Bradley, in protecting this gorgeous area. This article says, "In the more than 30 years since this ordinance was passed"—comparing to the one in Napa Valley—"not an acre of prime grape land has been removed from the preserve, and thousands of acres have been added." This is in California, Napa Valley. Then Mr Ziraldo says that by contrast, here in Niagara it "has become critical. We need a moratorium declared on development on all rural lands on and below the Niagara Escarpment, and it has to be



done by the province—like yesterday.” The province has to be dragged kicking and screaming.

Look at what the Ontario Municipal Board has been doing and what the province has allowed to be done all through this tender fruit belt: application after application—the famous one in Fonthill—allowing, again, cookie-cutter homes over prime fruit land, and the government twiddles its thumbs. Shame on them.

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We talk about the wine industry, how important it is. Just the other day we had an amazing feat by a Torontonians who is a vintner, in the wine industry. These people should be praised and honoured; instead, they won't mention them in this House. But I will mention their names: Charlene and Joseph DeMaria. They won five awards internationally. Joseph DeMaria's Vineland-based Royal DeMaria winery won for its icewines at a competition in Bordeaux, France.

“It is the first time in the history of the award ... that any winery has won five gold medals.” This guy, who is a hairdresser in Bloor West Village, started growing grapes for icewine in Vineland and won five gold medals. It's like winning the World Cup or the Stanley Cup. This government won't support or praise guys like DeMaria, won't mention his name in the House, and he has put us on the map.

“Linda Watts, the export and special projects manager at the Wine Council of Ontario, says Royal DeMaria's wines winning five gold medals is a coup for the winery and the country.

“Winning one of these medals is a marketing tool for wineries, particularly in the domestic market....

“To have one winery win five golds is quite a significant achievement.”

“There were 547 wines ... entered from 20 countries,” and Mr DeMaria, who has to be a hairdresser to make a living on the other end, won five gold medals. These are the pioneers, the heroes who will create jobs, put us on the world map and bring in export dollars.

What this government is doing is allowing homes—Home Depot and Canadian Tire—to pave all this precious fruit land. Support Mr Bradley's far-reaching, far-sighted initiative and you will preserve this gold mine, literally, for generations. We have some of the best wines in the world and some of the best fruit in the world. As the minister's assistant has said, they don't want to do anything to protect it. That's shameful. How stupid can you be when you've got this resource under your nose in the Niagara region? Listen to Mr Bradley and do the right thing for Niagara region.

**Hon Tim Hudak (Minister of Consumer and Business Services):** I'm pleased to rise to speak to the resolution before the House today and commend my colleague from St Catharines for bringing this important motion here for debate, one that I feel quite strongly about as the MPP who has the pleasure of representing the Lincoln area, one of the most beautiful areas in the peninsula, and in the province, I would argue.

*Interjection.*

**Hon Mr Hudak:** Fort Erie, Port Colborne and Wainfleet are not on the escarpment but are beautiful areas in themselves, and I'm quite proud to represent Erie-Lincoln as a whole.

I appreciate the member's comments and those of my colleague from Welland-Thorold and my colleague from the Stoney Creek riding as well. The member from Eglinton—I think there was a little bit of silliness in terms of accuracy, but I appreciate the tone of the member from St Catharines, I'll put it that way, because the issue is complex. I think the government has done a lot to support this and we can always do more.

I've had the pleasure as well of serving as Minister of Tourism, Culture and Recreation, and now as Minister of Consumer and Business Services, and being able to make an impact, as well being a local MPP, in keeping Niagara green. For a local resident, there's nothing quite like sitting out in the vineyard on a Saturday or Sunday afternoon or at our annual summer picnic at Moyers' cherry orchards in Vineland or hiking along the Bruce Trail.

Part of this agricultural land, for sure an important part of this debate—Marcy's Woods, a topic also very near and dear to my heart, keeping that in public hands. I really want to thank Minister Snobelen and Minister Ouellette for their support. The province put forward \$900,000 with the Nature Conservancy of Canada to help purchase that. There was some help from the town of Fort Erie, and I would like to see some help from other areas because they're not making any more of it. This is the last vestige of Carolinian forest and some of the best tender fruit land in Ontario. That's why I'm speaking in support of this resolution today, to keep Niagara green and to support the notion of an agricultural preserve in the peninsula.

The reference to Napa Valley is a good reference. As the member said, you don't want to duplicate everything. It's a unique area. But Napa serves as a good example because of the tourism element as well, being relatively close to San Francisco and enjoying the benefits of that from a tourism standpoint, which then also fuels the agricultural economy. Certainly with the populations of Toronto and the greater Buffalo area, within an even shorter drive than to Napa from San Francisco, that poses outstanding opportunities if we keep it as the gem it is, as a green area. But at the same time, with those populations expanding—as my colleague from Stoney Creek says, we've seen Hamilton heading east into Stoney Creek, into Grimsby—that also puts pressures on developing that land and there's a risk of losing some of this tender fruit land that is not being made any more.

First and foremost, it is most important I think to make sure it's economical for the farmers to continue to farm, to make sure they have an incentive to keep that property in production. So ideally the value of the land in fruit production would exceed the value of the land in development. The work we're doing on the wine and culinary tourism strategy—I was proud as the Minister of Tourism to bring that forward as part of our wine strategy. The

goal here to bring Americans, Germans, Japanese and folks from across Ontario into Niagara to enjoy the vineyards, cherry orchards and such and, again, to give that economic incentive to keep it in production.

Now, as Minister of Consumer and Business Services, there is a great opportunity to build on that, to sell more of that wine and associated product to Ontarians, increasing sales to the LCBO as well as abroad into European markets, breaking down those borders.

Of course, it's not just the grape and wine industry. We've made efforts as well on the tender fruit side—peaches, sour cherries and such—and do what we can to make it economical for the farmers to keep in production. So while Napa serves as a good example, I think, on the tourism side, we have to be careful, as my colleagues have said, to avoid a cookie-cutter approach—to look at Napa, to look at Okanagan and other examples, but to find a solution unique to Niagara.

Yes, I do believe the province can play a very important role in preserving this, because Niagara is simply not for Niagarans but for the province as a whole to enjoy. In that debate, in that discussion, I think it's important for us to make sure that the serious concerns of farmers are taken into consideration. When I had my discussions in the past with Dave Elliott from the Niagara South Federation of Agriculture; Len Troup from the tender fruit growers; Wayne Lockey from the grape growers—I just had a good conversation with him last night; and Linda Franklin from the Wine Council, among others—concerns to make sure that we don't do an outright ban on agricultural land, that we achieve that proper balance between incentives to keep it green, to make sure we preserve the most important types of land, but at the same time not to bind farmers' hands from doing what they can do to make sure their farms are profitable. So I'm very pleased to speak to the resolution and congratulate the member from St Catharines for bringing this forward.

**Mr Dave Levac (Brant):** I appreciate the opportunity to support and speak in favour of the member from St Catharines, who provides us with a guideline not just for his riding and the people around him but a concept that should be embraced—and I think it's been alluded to by the member opposite and some members here—that this is an opportunity for us to go beyond that and look at preservation of lands as we use them in a symbiotic relationship between us and the land. I think we should also point out what this should not be about. This shouldn't be about urban versus rural, this shouldn't be about developers versus environmentalists, this shouldn't be about profit versus a way of life—it should be a combination of all of those that basically says we should be smart and measured to grab an understanding of the symbiotic relationship that we do have between the land and the people.

This is a start, this is a step in the right direction that makes us all become quite aware of what our relationship is with the land and our environment, because the two go together. It should be about understanding for the future,

because we are not in, as I think we should be—we should be talking about, and could be and must be talking about, the competition of foreign interests. We are probably looking at an opportunity to prevent self-destruction because the competition is going to come in if we don't do something about this particular situation. Right now, China pretty well owns the market in apples, in pears, in all of the other fruits and vegetables that are starting to be taken over by other people who have that relationship already understood.

I also want to make a comment about brownfields. It was mentioned once before. Councillor Marguerite Ceschi-Smith in my riding is spearheading—she's the chair of the brownfields committee in our city, but further to that she's on FCM, the Federation of Canadian Municipalities. She's the chair of a brownfields committee and is talking about national strategies of brownfields. So inside of that comes the use of greenhouses that the member referred to earlier. There's an opportunity for us to start these businesses and put them on brownfields within municipalities, inside, in terms of development that stops the sprawl we're talking about and also preserves the growing lands we're talking about in terms of looking forward.

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The member opposite speaking on behalf of the government disappointed me somewhat in terms of his reference to the municipalities, that they can work it out. Quite frankly, the government extracted themselves from water for the longest time as to our environment, and we got Walkerton, because we had a mishmash of opportunity. The very same member sponsored a bill and did some public hearings on Bill 81, province-wide concepts of how we do nutrient management. Why didn't you leave it to the municipalities? This is the same thing. It's the use of our lands. There should be standards across the province that we develop.

It's quite odd that in one breath he talks about municipalities having to take care of business and yet he's the one who introduces and brings us Bill 81, which gives us province-wide standards in the use of nutrient management. That's got something to do with the land. It's unbelievable the government would take that position. We have some very smart people on the other side who understand that relationship, and they're starting to talk to us about understanding that nutrient management should be province-wide. The member opposite, who introduces the very same bill, turns around and says, "No, now we want to push it back to the municipalities."

We've got Bill 81 and we've got Walkerton, where we're still cleaning up and we're taking it back to the province. We come up with a great resolution that says the province should involve itself in a non-partisan way in taking a good, hard look at how we're going to take care of our lands in the future, and the member opposite tells us, "No, we don't want to get our fingers into this pie." Well, it's time to, because you have to look forward.



Again I bring to the House the concept of seven generations. They were so smart when they told us about that. What we do today has to be looking forward seven generations to ensure that seven generations from now, things will be right. We have a stepping stone and the member from St Catharines is bang on when he says we have to start taking a look at this holistically.

I appreciate the opportunity to talk to this bill. I ask the member from Haldimand-Norfolk-Brant to get on the bus, because it's the right way to go.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm very pleased to conclude the debate on this resolution. I think it's a worthy resolution. Coming from the riding of Barrie-Simcoe-Bradford, we have the Holland Marsh, which is something that is very important to the province in terms of agricultural land. The principle the member from St Catharines is putting forward would apply equally to the Holland Marsh and what it means to this province. I would say that the government's provincial policy statement clearly states the importance of protecting prime agricultural land.

**The Acting Speaker:** The member for St Catharines has two minutes to sum up.

**Mr Bradley:** I want to thank all the members who have contributed to this very non-partisan debate that we've had in the Legislature today. In my view, it would be sheer madness to convert this prime agricultural land we've all talked about for development purposes when there is other land that is available around the province for those purposes.

I want to thank Dr Bob Hoover of the Preservation of Agricultural Lands Society, along with Gracia Janes, who have provided information over the years and who have engendered a lot of discussion about this topic. I want to thank David Pond from the legislative library, who produced some very good information that I'd be happy to share with any member of the House about programs south of the border and in other jurisdictions that are designed to help both the farmer and society as a whole by keeping the farmer on the farm and making it a viable operation and protecting agricultural land.

The article by Doug Draper, which has been made reference to here today, talks specifically about grapes. We all know in this House how successful our wine industry is, because we have some outstanding growers who produce the grapes and excellent vintners who produce the wine. We also have other products such as peaches, pears, cherries, apricots and apples—a variety of fruit that is produced in the Niagara Peninsula. It's of great benefit. This is a tourist gem for those of us in Ontario, something we will want to preserve.

I agree with the consensus out there that some kind of task force or select committee should look at the specifics of trying to create such a preserve, because each area is unique and different and we need that kind of input to see what's best for Niagara in preserving Niagara's land. We have an opportunity in this House to protect a genuine asset for future generations, and I certainly hope this

Legislature will agree with the resolution this morning and do so.

#### VISITORS

**Mr Tony Martin (Sault Ste Marie):** On a point of order, Mr Speaker: I'd like to introduce to the House my father, Michael Martin from Sault Ste Marie, and his sister and my aunt, Ellen Scougal from Scarborough, Mary Malone from Newcastle, Sister Moyra Martin from Ireland and Anne Doyle from Victoria.

**The Acting Speaker (Mr Michael A. Brown):** Welcome to the Legislature.

#### APPOINTMENT OF SELECT COMMITTEE

**The Acting Speaker (Mr Michael A. Brown):** We will now deal with ballot item number 53.

Mr Duncan has moved private member's notice of motion number 7. Is it the pleasure of the House that the motion carry? Carried.

#### TENDER FRUIT LANDS

**The Acting Speaker (Mr Michael A. Brown):** Now we will deal with ballot item number 54.

Mr Bradley has moved private member's notice of motion number 8. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it. The motion is carried.

It being after 12 of the clock and all business related to private members' public business having been taken care of, this House stands adjourned until 1:30 of the clock.

*The House recessed from 1208 to 1330.*

#### MEMBERS' STATEMENTS

##### LABOUR DISPUTE

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** It is regrettable that thousands of children in the city of Toronto are casualties of the labour dispute between service workers and the city of Toronto.

All permits for parks, tennis courts, outdoor sports fields and civic squares are cancelled, a majority of which provided activities for children. All city-operated swimming pools and arenas are closed, including pools at the board of education facilities. All recreational programming, such as camps, drop-ins, clubs, swimming lessons and walking tours are cancelled. Community centres, fitness centres and community schools are closed and their programming cancelled.

This means children in the city will not be able to go to their local library, take swimming lessons, visit their local museum, play with their local sports team, or keep cool in the wading pool or splash pad.

The city of Toronto finds itself in a most untenable position because this government has downloaded so many services to the municipal tax base. We hope that the city and the union can come to an agreement quickly so that children in the city of Toronto will not be deprived of the important services that they need and deserve for a healthy, happy summer.

### JUST THE TICKET

**Mrs Julia Munro (York North):** I want to speak today about York region's summer theatre companies, including the Red Barn Theatre in Jackson's Point. They have together formed an alliance with the Stratford and Shaw festivals and Ontario's tourism ministry to offer a unique entertainment package called Just the Ticket.

This initiative is a partnership between a group of theatres and Ontario Tourism Marketing Partnership. The promotion also involves Newmarket's Resurgence Theatre, Aurora's Howard Johnson Hotel, the Eaton Hall Inn and Conference Centre in King, Pheasant Run golf course in East Gwillimbury, and Wildflower Farm in King.

In this all-inclusive package, people are offered theatre tickets, overnight accommodations and tickets to entertainment venues at a single price. The Red Barn package covers admission to any of this summer's five productions, an overnight stay including breakfast at a bed and breakfast or hotel, and admission to area venues including Georgina Pioneer Village and Sibbald Point Provincial Park.

This is a unique promotion that will attract tourists to York region. All you have to do is look through a brochure and pick any Just the Ticket theatre package. For tickets, call the box office at 905-722-5157.

### MEDICAL IMAGING TECHNOLOGIES

**Mr Michael Gravelle (Thunder Bay-Superior North):** I find it somewhat galling that while this government talks about opening up privately run MRI facilities in the province they're not yet prepared to maximize the use of the publicly run facilities in our hospitals.

In Thunder Bay, our MRI and CT scans are simply not being used to their full capacity. As the only diagnostic tools in the Thunder Bay district, the demand is great yet it still seems startling that the waiting time to get an MRI has stretched to seven months while people have to wait three months to get a CT scan.

This is absolutely unacceptable, particularly as these delays add enormous stress to people waiting for diagnosis. But what is more upsetting is that these long delays are absolutely unnecessary and could be reduced, if not eliminated, with increased financial support to the hospital.

Thunder Bay Regional Hospital currently has five radiologists on staff, with a sixth scheduled to arrive in August. This full complement means that TBRH is ready, willing and able to expand its hours of operation immediately if the province simply comes forward with an immediate increase in operational funding directed at the diagnostic wing.

Premier Eves and Minister Clement have said repeatedly and publicly that their goal is to increase accessibility to these vital diagnostic tools. If that is truly the case, I would hope that Minister Clement will listen to my plea today for increased funding to properly utilize the MRI and CT scans at Thunder Bay Regional Hospital. I would hope that this government's drive to privatize our cherished public health care system will not blind him to the fact that our publicly run MRIs and CT scans can deliver quicker and less costly service to people who are increasingly and justifiably frustrated by the waiting times that presently exist.

### CANADA DAY CELEBRATIONS

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** This coming weekend will mark the 135th anniversary of Canadian nationhood, and I'm pleased to report to this House that the residents of Bramalea-Gore-Malton-Springdale are going to celebrate it properly in Chinguacousy Park.

The city of Brampton is hosting a proper party on Monday from 10 in the morning until a fireworks display caps the festivities at 10 at night. I'm sure the fireworks display will be up to Brampton's usual spectacular standards.

As well, Chinguacousy Park will have live music, dance and martial arts demonstrations. The beer tent is serving Brampton's own Cool brand beer, perfect for days like July 1, which is forecast to be warm and dry.

A petting zoo, amusement park, climbing wall and magicians will also help entertain kids of all ages. There will also be a giant cake, which is fitting for Canada's 135th birthday party. The cake will be cut at 5 pm, but there's no word at this time as to who will blow out the 135 candles.

**Mr Rob Sampson (Mississauga Centre):** Someone with a lot of hot air.

**Mr Gill:** Yes.

On behalf of the people of Bramalea-Gore-Malton-Springdale, I want to congratulate the city for putting together this event and wish all Canadians everywhere a very happy Dominion Day.

### HIGHWAY 69

**Mr Rick Bartolucci (Sudbury):** I take this opportunity to remind the people who will be driving on Highway 69 south this weekend to please drive carefully, to follow all the safe driving rules, because that is a very dangerous stretch of highway.



A couple of weeks ago I told the government that I would be launching a petition campaign with regard to the four-laning of Highway 69 from Sudbury to Parry Sound. These are the results of that three-week petition. There they are—everybody wanting to ensure that Highway 69 is four-laned from Sudbury.

What's even more shocking is that you've got the member from Durham going like this, saying it's not important.

Let me quote some of the statistics from the Ministry of Transportation and the Ontario Provincial Police when they say that between 1996 and 2000, 32 people have died on Highway 69 between Sudbury and Parry Sound. In that same time period, only five people have died from Parry Sound to Barrie on the 400 series. That's five too many, mind you. At the same point in time, there have been 1,622 accidents on Highway 69 south between Sudbury and Parry Sound. Highway 400 between Parry Sound and Barrie saw 607 accidents.

Clearly, multi-lane highways save lives. Clearly, multi-lane highways cause fewer accidents. I challenge this government to commit real money to do real four-laning between Sudbury and Parry Sound, and I challenge them to do it immediately.

#### JESSIE BANNERMAN

**Mr Joseph Spina (Brampton Centre):** On behalf of my colleague the member for Brampton West-Mississauga, it's my honour to speak today about Jessie Bannerman, who announced her retirement from a very busy political and social life, effective the end of this month. Jessie was honoured by the community last night in Brampton by her many friends and her family.

Jessie came to Canada from England through pier 21 in Halifax over 50 years ago, and has never looked back. She has been a resident of Brampton since the early 1960s, and immediately immersed herself in many volunteer groups and community activities, among them the Flower Festival and the Pine and Rose Festival. She is a past president of the Brampton Curling Club and has served on the Brampton Millennium Committee. She is a long-time member of the Zonta Club and, effective tomorrow, will be the zone 4 service chair, encompassing southern Ontario, western New York and northern Pennsylvania. Jessie is also active in the Salvation Army and the Canadian Cancer Society and is currently a member of the Brampton Community Foundation.

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Jessie is a very caring individual, known for her hard work and ability to multitask her volunteer work and office career, and for her wealth of knowledge of Brampton and of government. It's these traits that made her the outstanding asset to the constituency offices of the Honourable John McDermid, MP from 1980 to 1993, and currently of my good friend and colleague the Honourable Tony Clement.

Please join me in congratulating Jessie on an auspicious career and her well-deserved retirement with her

husband, Bill. I'm sure they'll enjoy their summers on the golf course, winters in the curling club and definitely—God bless you, Jessie—time with their children and grandchildren.

#### GOVERNMENT'S RECORD

**Mr Dwight Duncan (Windsor-St Clair):** As we wrap up the 20-some-day session, I want to reflect a bit. The government introduced four new bills this session. The first one was the Hydro One blank-cheque bill, which of course they had to time-allocate. That's the bill that leaves the government open to do whatever it wants with Hydro One this summer. They of course wouldn't announce their decision here in the House. One can't be too surprised by that. They've changed their position five times since the Legislature resumed.

They brought forward the Hydro One directors act; I'm sure they planned and anticipated that. That's the one where they had to fire all the directors of Hydro because of the mismanagement and because of these outrageous salaries. Yet they want to proceed with the privatization, or at least the partial sell-off, of Hydro One. We're still not sure what they're going to do, because they certainly don't want to talk about it in this House. They want to wait till the summer, when the Legislature is done.

There's the budget bill, which was time-allocated last night—a time-allocated budget bill. That's the bill, you'll recall, that wipes out the Taxpayer Protection Act they were all so proud of just some short years ago.

What an interesting session. What a change. It's a change that speaks to trust. It speaks to the trust of people in their government, what governments will say and not say, what they say one day and do the next. This government does not deserve the trust of the people. The people ought to have an opportunity for an election sooner rather than later.

#### ADOPTION DISCLOSURE

**Ms Marilyn Churley (Toronto-Danforth):** I'm appealing to the Premier of Ontario and the leader of the official opposition today to allow Bill 77, the adoption disclosure reform bill, to be called for a vote. We all know that a vast majority of members on all sides in this Legislature want this bill to pass. This bill, or a similar bill, has been before this House for many years. We've come very close to having it pass. But time after time after time a few members in this Legislature—and we know it is a very few members—hold the bill up. Is this democracy? No, it isn't.

You're breaking my heart again today. You're breaking the hearts of thousands of people who have been working on this issue since the 1970s to bring justice and fairness to the thousands of adoptees out there who cannot make contact with each other and who cannot find out about their health and birth information. It is against human rights—it violates human rights. Jurisdictions across the world have changed the law.

I have spoken with many of you on many occasions, and you know I have fixed my bill to deal with your concerns about those few who still want privacy. There is a contact veto in the bill which gives people more privacy than they have now under the existing act.

I appeal to you today to let this bill go forward for a vote—no more delays.

#### MISSISSAUGA FIREFIGHTERS OF THE YEAR

**Mrs Margaret Marland (Mississauga South):** Mississauga recently honoured its 2002 Firefighters of the Year in an awards ceremony held at city hall.

Captain Allan Thompson and Acting Captain John Hill, along with Firefighters Larry Jackson, Gerald Lacasse, David Middleton, Edward Nelson, Peter Perrone and John Watts, received this prestigious award for their quick-thinking action during a house fire in my constituency on September 9 of last year.

When the crew arrived at the burning house on Exbury Crescent, they were faced with a basement fire with zero visibility as a result of heavy smoke. To make matters worse, the female resident of the home could not be found.

Firefighters Watts and Middleton went searching for the missing resident under dangerous conditions, having to pass through extreme heat and smoke. They located the unconscious woman in a small washroom in the basement and, with the help of the other firefighters, passed through the fire area and carried her to safety.

As Mississauga Fire Chief Garry Morden said of his crew, "If this wasn't done properly and professionally, it would have been a failed rescue. Their quick, professional response ... resulted in the saving of a life."

On behalf of all residents in the city of Mississauga, I'm privileged to congratulate and thank these outstanding firefighters. We are fortunate and grateful to have you safeguarding our community. You are a tribute to your profession, and we are very proud of you.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Speaker: I seek unanimous consent to give second and third reading to Bill 77, Ms Churley's adoption bill.

**The Speaker (Hon Gary Carr):** It's already had second reading.

**Mr Duncan:** I seek unanimous consent to give third reading to Ms Churley's adoption bill, Bill 77.

**The Speaker:** Is there unanimous consent? I'm afraid I heard some noes.

#### LEGISLATIVE PAGES

**Hon Cameron Jackson (Minister of Tourism and Recreation):** On a point of privilege, Mr Speaker: This is the last day for our pages. Although it is the custom of the Speaker to acknowledge their contribution to this House and how much all members of the House have

enjoyed them, with the indulgence of the House, I would like to thank them on behalf of all members.

In particular, as the father of Lauren Jackson from Burlington, who was a page here for the last three weeks, I must tell the members opposite that Lauren's route was through the Liberal caucus. She started every morning with Mr Cleary and ended up at the end of the day with, I think, Mr Bartolucci. In between, she met some very wonderful people. The reports are that all the staff in your offices are just wonderful. So thank you for treating my daughter and all the other pages so well.

I'm joined in the House today by my wife, Elaine, and my youngest daughter, Michelle. We had lunch with our daughter, and we've had a great day.

If I might just echo the sentiments that were reported in the media by the leader of the official opposition, I fully support his comments that we would all be better MPPs if we could find more time with our families. I think it anchors us and makes us better MPPs.

So thank you to all members of the House. Everyone have a great summer.

**The Speaker (Hon Gary Carr):** While we're on that, I'm sure all members would like to join me in thanking our wonderful group of pages. We wish them well in their endeavours, and we thank them for the fine work they've done over this past short while.

With the indulgence of the minister, Lauren's grandmother also makes the best egg salad sandwiches during election campaigns. I can assure you of that.

**Mr Peter Kormos (Niagara Centre):** On the same point of order, Speaker: I want to add our voice to the congratulatory praise given these pages. They are a particularly impressive, skilled, bright, articulate group of young people. They bring skills to this Legislature that indeed surpass many of the skills demonstrated by so many elected members.

We were pleased to have been able to work with these pages. We're going to miss them far more than they will miss us.

Special congratulations to Lindsey O'Brien. I want her family to know that she has been an outstanding young page here at the Legislature. Her family, school, friends and community should be very proud of her, as should the families, classmates and communities of each and every one of these pages.

I expect, over the course of the next 20 years as we're reading papers and covering Queen's Park, we'll see some of these pages' names pop up in the Queen's Park coverage of this chamber as representatives in their own right of their own constituencies in their own communities. May they be as outgoing, courageous, rebellious, independent and free-thinking as they've been during their terms here as pages.



1350

## INTRODUCTION OF BILLS

### COLLISION REPAIR STANDARDS ACT, 2002

#### LOI DE 2002 SUR LES NORMES DE RÉPARATION EN CAS DE COLLISION

Mr Klees moved first reading of the following bill:

Bill 165, An Act to further highway safety and establish consumer protection through the regulation of the collision repair industry, and to make a complementary amendment to the Insurance Act / Projet de loi 165, Loi visant à améliorer la sécurité sur les voies publiques et à protéger les consommateurs en réglementant le secteur de la réparation en cas de collision et à apporter une modification complémentaire à la Loi sur les assurances.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Frank Klees (Oak Ridges):** It gives me great pleasure to introduce the Collision Repair Standards Act, 2002, for consideration by this Legislature. I do so today in honour of a pioneer of the collision repair industry, Mr Heinz Fuhrman, whose wife, Kris, is with us today in the members' gallery. She's joined by a number of Heinz's colleagues from the repair industry.

Mrs Fuhrman is here today because she was very much aware of her husband's vision for his industry: a fair and ethical business environment in which consumers could rely on quality workmanship, and a fair marketplace in which collision repair shops could carry on their business on a level playing field and expect return on investment.

This bill, the Collision Repair Standards Act, 2002, proposes to establish the regulatory framework through which those goals can be achieved. The bill is about improving highway safety by making sure that vehicles that have been damaged in collisions are properly repaired. It is about protecting the right of consumers to choose who works on their cars, and it is about protecting them from dishonest practices. This bill will provide for the implementation of a regulatory framework for the collision repair industry which will provide for the certification of collision repair shops based on province-wide industry standards and will provide for the de-certification of those collision repair shops that fail to meet those standards.

It is about ensuring safety, it is about consumer protection and it is about fair and ethical business practices.

### INSURANCE STATUTE LAW AMENDMENT ACT (AUTOMOBILE INSURANCE), 2002 LOI DE 2002 MODIFIANT DES LOIS EN CE QUI CONCERNE LES ASSURANCES (ASSURANCE-AUTOMOBILE)

Mr Sampson moved first reading of the following bill:  
Bill 166, An Act to further stabilize automobile insurance rates / Projet de loi 166, Loi visant à stabiliser davantage les taux d'assurance-automobile.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Rob Sampson (Mississauga Centre):** This bill contains a number of amendments to the Insurance Act, the insurance statutes of Ontario. The intent was to draw from a number of consultations that have occurred since Bill 56 was introduced and passed in 1996, because that's what we said we would do in 1996.

It also, I hope, will encourage some discussion and comment around some specifics about legislative and regulatory reform of auto insurance, so that we can do our job to help make sure rates in this province are affordable and provide consumers the protection they deserve in Ontario.

### ANAPHYLACTIC STUDENTS PROTECTION ACT, 2002

#### LOI DE 2002 SUR LA PROTECTION DES ÉLÈVES ANAPHYLACTIQUES

Mr Levac moved first reading of the following bill:

Bill 167, An Act to protect anaphylactic students / Projet de loi 167, Loi visant à protéger les élèves anaphylactiques.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Dave Levac (Brant):** In 23 years of education, 12 as a principal, I had to deal with five cases of students who went into anaphylactic shock. This shock is death-defying. Quite frankly, you have five minutes to respond in a life-and-death situation. We need to have a standard in our province that deals with this. The Education Act only covers principals to cover the health and safety of students. There's no specific comment on anaphylactic shock in our school system across the province. I want to thank Mrs Dwyer, whose two sons both have allergies. One has bee-sting allergies and one has peanut butter allergies and both of them have gone into shock. We need to do this.

Mr Bill Chopp, the superintendent of education in Brant-Haldimand-Norfolk Catholic District School Board, was very helpful in drafting this legislation. Policies do exist, but they're not standardized and there

are no minimum standards. I would suggest that the bill require that every school principal establish a school anaphylactic plan. The plan would, among other things, develop and maintain strategies to reduce the risk that exposure could result in anaphylactic shock in a school; communicate information about life-threatening allergies; arrange for training; develop emergency procedure plans for each anaphylactic student; and maintain current information on file.

With consent, school staff could administer or supervise the administration of medication required to be taken during the school day to save a life. In the event of an emergency involving an anaphylactic student, school staff would be permitted to administer their medication without consent to save a life. No action for damages resulting from the administering of medication would be permitted unless the damages were a result of gross negligence.

We want to give principals permission to ban peanut and any other allergy materials in schools.

**WELLAND HYDRO  
ELECTIONS ACT, 2002**

**LOI DE 2002  
SUR LES ÉLECTIONS  
AU SEIN DE WELLAND HYDRO**

Mr Kormos moved first reading of the following bill:

Bill 168, An Act to provide for the election of members of the board of Welland Hydro / Projet de loi 168, Loi prévoyant l'élection des membres du conseil de Welland Hydro.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Peter Kormos (Niagara Centre):** This government forced the city of Welland, as it did so many other communities, to dissolve its hydroelectric commission, which it operated for decades as one of the most efficient hydroelectric commissions in the province, with an elected board of four members elected at large in the municipality, along with the mayor. In the course of forcing municipalities to incorporate their hydroelectric commissions, it also denied municipalities and members of those municipalities the right to directly elect representation on those boards. This bill provides that the members of the board of directors of Welland Hydro are the mayor of the city of Welland and four elected directors.

**MPPs PENSION PLAN  
STUDY ACT, 2002**

**LOI DE 2002 SUR L'ÉTUDE  
DU RÉGIME DE RETRAITE  
DES DÉPUTÉS**

Mrs Marland, on behalf of Mr Murdoch, moved first reading of the following bill:

Bill 169, An Act to provide for studying the establishment of a pension plan for members of the Legislative Assembly / Projet de loi 169, Loi prévoyant l'étude de l'institution d'un régime de retraite pour les députés de l'Assemblée législative.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All opposed, please say "nay."

In my opinion, the ayes have it. Carried.

The member for a short statement?

**Mrs Margaret Marland (Mississauga South):** I think the title of the bill is explanatory, according to my colleague, the member on whose behalf I'm tabling it.

1400

**HIGHWAY TRAFFIC AMENDMENT ACT  
(SCHOOL BUSES), 2002**

**LOI DE 2002  
MODIFIANT LE CODE DE LA ROUTE  
(AUTOBUS SCOLAIRES)**

Mr Parsons moved first reading of the following bill:

Bill 170, An Act to amend the Highway Traffic Act to require that school buses be equipped with flashing orange caution lights / Projet de loi 170, Loi modifiant le Code de la route pour exiger que les autobus scolaires soient équipés de feux d'avertissement orange clignotants.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Ernie Parsons (Prince Edward-Hastings):** In rural Ontario it is very difficult for car drivers to guess whether the bus coming either ahead of them or behind them is about to stop, particularly if they are approaching a bus where they're doing 80 kilometres an hour, or perhaps slightly over, on occasion. This bill will provide for orange lights to come on to advise the motorist that the bus is about to stop. Once the bus is stopped, of course, the red lights would come on. I believe this bill will considerably reduce the incidence of drivers accidentally going past a stopped school bus. It will give them warning and thus will provide greater safety for our students.

**HIGHWAY TRAFFIC ACT  
(TURN SAFETY), 2002**

**LOI DE 2002  
MODIFIANT LE CODE DE LA ROUTE  
(SÉCURITÉ DANS LES VIRAGES)**

Mr Kormos moved first reading of the following bill:

Bill 171, An Act to amend the Highway Traffic Act respecting turn safety / Projet de loi 171, Loi modifiant le Code de la route à l'égard de la sécurité dans les virages.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.



The member for a short statement?

**Mr Peter Kormos (Niagara Centre):** The bill increases the responsibility on the driver or operator of the vehicle to ensure that he or she does not interfere with pedestrians, motorcycles, bicycles, motor-assisted bicycles or wheelchairs when making a turn. This bill was prompted by the Bikers' Rights Organization of Ontario, and I am pleased to present it for first reading on behalf of all motorcyclists, bicyclists, persons in wheelchairs and pedestrians, as well as persons riding motor-assisted bicycles and bicycles.

## FLAGS AT HALF-MAST ACT, 2002

LOI DE 2002

### SUR LES DRAPEAUX EN BERNE

Mr Chudleigh moved first reading of the following bill:

Bill 172, An Act to require that flags be flown at half-mast at provincial government buildings to honour Ontario police officers, correctional services officers, firefighters and ambulance workers who lose their lives in the line of duty / *Projet de loi 172, Loi exigeant la mise en berne des drapeaux qu'arborent les édifices du gouvernement provincial en l'honneur des agents de police, des agents de services correctionnels, des pompiers et des préposés aux services d'ambulance de l'Ontario qui perdent la vie dans l'exercice de leurs fonctions.*

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Ted Chudleigh (Halton):** I was surprised when I learned that it is not now the requirement of government buildings to fly their flags at half mast when these types of men and women give the ultimate sacrifice for us. People who protect us from chaos in our society, people who protect our homes, people who protect us in our time of medical need and people who guard those people who are incarcerated in provincial institutions deserve this kind of respect when they do give the ultimate sacrifice.

## ST. JAMES' CATHEDRAL SIGHTLINES PROTECTION ACT, 2002

LOI DE 2002

### SUR LA PROTECTION DE LA VUE DE LA CATHÉDRALE ST. JAMES

Mr Smitherman moved first reading of the following bill:

Bill 173, An Act to preserve and protect the sightlines of St. James' Cathedral / *Projet de loi 173, Loi visant à préserver et protéger la vue de la cathédrale St. James.*

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr George Smitherman (Toronto Centre-Rosedale):** The intention of this bill is to ensure that St James'

Cathedral, which is one of the more significant landmarks in the city of Toronto, continues to enjoy what it now has, which is the ability for people to see it. This would ensure that buildings built in the St James' Cathedral precinct are not built to such a scale that they would dwarf it.

**Ms Marilyn Churley (Toronto-Danforth):** I move for unanimous consent for third reading and a vote on Bill 77.

**The Speaker:** We already asked for it. We can't ask again.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: I can recall some notorious precedents wherein there was—

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** Name one.

**Mr Kormos:** Well, April 26, 2001, where there were repeated requests on the same matter for unanimous consent—time after time denials and then finally it was granted.

**The Speaker:** The reason that is done is if there is some occasion when it's unclear. This was very clear, and there were definitely some noes. We can't keep asking the same question. There were definitely some noes.

## MOTIONS

### HOUSE SITTINGS

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I move that pursuant to standing order 9(c)(ii), the House shall meet from 6:45 pm to midnight on Thursday, June 27, 2002, for the purpose of considering government business.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1409 to 1414.*

**The Speaker:** All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

### Ayes

Agostino, Dominic  
Arnott, Ted  
Baird, John R.  
Barrett, Toby  
Bartolucci, Rick  
Beaubien, Marcel  
Bountrogianni, Marie  
Boyer, Claudette  
Bradley, James J.  
Bryant, Michael  
Caplan, David  
Christopherson, David  
Chudleigh, Ted  
Clark, Brad

Elliott, Brenda  
Eves, Ernie  
Galt, Doug  
Gilchrist, Steve  
Gill, Raminder  
Gravelle, Michael  
Guzzo, Garry J.  
Hardeman, Ernie  
Hastings, John  
Hodgson, Chris  
Hudak, Tim  
Jackson, Cameron  
Kennedy, Gerard  
Klees, Frank

Murdoch, Bill  
Mushinski, Marilyn  
Newman, Dan  
O'Toole, John  
Ouellette, Jerry J.  
Parsons, Ernie  
Phillips, Gerry  
Pupatello, Sandra  
Ramsay, David  
Runciman, Robert W.  
Ruprecht, Tony  
Sampson, Rob  
Sergio, Mario  
Smitherman, George

Cleary, John C.  
Clement, Tony  
Coburn, Brian  
Conway, Sean G.  
Cordiano, Joseph  
Cunningham, Dianne  
Curling, Alvin  
Di Cocco, Caroline  
Dombrowsky, Leona  
Duncan, Dwight  
Dunlop, Garfield  
Ecker, Janet

Kwinter, Monte  
Lalonde, Jean-Marc  
Levac, David  
Marland, Margaret  
Martiniuk, Gerry  
Mazzilli, Frank  
McDonald, AL  
McGuinty, Dalton  
McLeod, Lyn  
McMeekin, Ted  
Miller, Norm  
Munro, Julia

Spina, Joseph  
Sterling, Norman W.  
Stewart, R. Gary  
Stockwell, Chris  
Tascona, Joseph N.  
Tsubouchi, David H.  
Turnbull, David  
Wettlaufer, Wayne  
Wilson, Jim  
Witmer, Elizabeth  
Wood, Bob  
Young, David

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Bisson, Gilles  
Hampton, Howard

Kormos, Peter  
Martel, Shelley

Prue, Michael

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 78; the nays are 5.

**The Speaker:** I declare the motion carried.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: I believe the record of the vote count today will indeed confirm my suspicion that it was Mr Christopherson who yesterday voted for a similar motion, and not me.

#### STANDING COMMITTEE ON ESTIMATES

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I move that, through a lot of hard negotiations and complete capitulation on my part, the standing committee on estimates be authorized to meet for seven and a half hours during the summer adjournment, in accordance with a date agreed to by the three party whips and tabled with the Clerk of the assembly, to consider certain estimates.

**The Speaker (Hon Gary Carr):** Mr Stockwell moves that the standing committee on estimates—dispense? No? Somebody wants to hear it—be authorized to meet for 7.5 hours during the summer adjournment, in accordance with a date agreed to by the three party whips and tabled with the Clerk of the assembly, to consider certain estimates.

Is it the pleasure of the House that the motion carry?

All those in favour will please say “aye.”

All those opposed will please say “nay.”

In my opinion, the ayes have it. Carried.

Further motions? The government House leader.

since the horrific accident on the weekend. I undertook to provide him with a letter from OPG and table with the House the public water safety campaign from OPG as well. Through much good work I think by the OPG, they have provided me with this information. I have one for the table and I also have one for the member for Renfrew.

**Ms Shelley Martel (Nickel Belt):** On a point of order, Mr Speaker: On June 10 the government House leader said something I actually agreed with—I know that's hard to believe. He referred to Mr Kormos as the House leader from hell, and no truer words were ever spoken.

To ensure that the government House leader never forgets what he said about Mr Kormos, we have a little something for Mr Kormos to wear to future House leaders' meetings to reinforce the point. Perhaps you'd like to sign this later on today.

**Mr Dwight Duncan (Windsor-St Clair):** On that same point of order, Mr Speaker: Having had the opportunity to serve with the House leader from hell, upon learning that Mr Stockwell was appointed government House leader I did request a padded room for those meetings, and you have yet to reply.

**The Speaker (Hon Gary Carr):** I'm just glad I don't have to go to them.

The government House leader on a serious point of order?

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** Yes, Mr Speaker. I will also note that the letter I sent over from OPG, tabled today, has also been sent to all constituency offices of all members of the House.

**Mr Wayne Wettlaufer (Kitchener Centre):** On a point of order, Mr Speaker: I'd like to obtain unanimous consent for third reading without debate of Bill 140.

**The Speaker:** Is there unanimous consent? I'm afraid I heard some noes.

The member for Sudbury on a point of order?

#### VISITORS

**Mr Rick Bartolucci (Sudbury):** It isn't a point of order, Mr Speaker, but I do want to recognize two very talented people in the members' gallery today: Maria Dombrowsky and her very good friend Kaitlyn. Welcome to the assembly.

#### ORAL QUESTIONS

##### COMPETITIVE ELECTRICITY MARKET

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Premier. The Independent Market Operator, the body you created through your legislation, has now informed you in no uncertain terms that it has every intention of going ahead with something it calls locational pricing. In essence that is going to mean that

##### HYDRO DAM SAFETY

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** It's not an actual motion, Mr Speaker, but an undertaking I gave the opposition in questioning by Mr Conway yesterday, asking me to table the program the OPG has put in place



families and businesses in northern Ontario and rural Ontario are going to be forced to pay still more for their electricity than the rest of Ontarians.

My question to you is: are you going to allow your Independent Market Operator to go ahead with its plan for locational pricing?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I refer the question to the Minister of Energy, who I believe answered it yesterday.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I did answer it yesterday. It's a variable rate that's allowed and that is being studied for one year. It has not been approved at the OPG; it has not been approved anywhere. All they've decided to do is study the plan for a year. It's that simple.

**Mr McGuinty:** I want to be very clear where I'm coming from: I'm against this. I'm against a discriminatory pricing policy that's going to hurt people living in northern Ontario and rural Ontario.

I understand that the market operator is considering this. What I want to know is whether you're going to allow them to proceed with a discriminatory pricing policy. People in northern Ontario and rural Ontario are already up against it. They are struggling to find growth.

The question I have for you on their behalf is: are you going to stand up for them and say no to the IMO?

**Hon Mr Stockwell:** To be clear on this file, you may be suggesting right now that you're against it—right now. That doesn't mean you'll be against it forever, because we'll come up with another December 12. On that fateful day you may have misspoken yourself or told us you thought too quickly. So right now you're suggesting you're against it.

All I'm suggesting to the member opposite is, they've decided to study the program for a year. I think any reasonable government would say, "If you're going to study a program for a year, bring us the results and we'll determine if it's acceptable or not."

There's nothing on the books that says they're going ahead. It's on the books that they're going to study it for a year. So your standing in this place and telling me you're against it holds no value to me or to taxpayers, because today you may be against it and then we'll have December 12 and you'll be for it.

**Mr McGuinty:** The question is very simple, Minister. I can appreciate the bluster, but we really would like to get the answer. The question remains the same. The IMO, a body which your government created, tells us it has every intention to proceed with something they call locational pricing; what that means is a discriminatory pricing policy that's going to harm people living in northern Ontario and rural Ontario. What ratepayers in those two parts of the province are looking to you to do now is to turn to the IMO and say no.

I'm asking you again on behalf of northern Ontarians and people living in rural Ontario: are you going to allow locational pricing to happen in the province of Ontario?

**Hon Mr Stockwell:** Let me just read this story into the record—I think it's interesting because it's another snap decision you just made today, I guess:

"However, he was soon crusading against the sale of Hydro One, all the while denying that he'd ever held a different position—until he was confronted with a tape of his initial comments late last week.

"I honestly believed I'd never said that (I was in favour)," McGuinty said. 'I didn't recall at the outset that I'd said what I'd said.'

"However, the opposition leader said he'd learned a valuable lesson." What was that valuable lesson?

"You've got to be careful about coming to a quick conclusion about a very complicated matter," he said.

"When this story broke, and it broke very quickly, the subject to that point in time had been the privatization.... I was called upon to make a very quick decision ... upon reflection I made the wrong decision."

Now you've made another quick decision. Did you think too quickly this time? Or are you thinking slowly? I don't know. I can't tell.

We're going to study it for a year, and maybe on December 12, you're going to come back to us and say once again, "When I think too quickly, I make mistakes."

## HYDRO ONE

**Mr Dalton McGuinty (Leader of the Opposition):**

My question is to the Premier. Premier, in a few minutes you're going to use your majority to ram through your Hydro bill, which is going to give you every ability to do whatever you please with Hydro One, and you have apparently no intention whatsoever of telling us what you plan to do with Hydro One.

The question I have for you today is: have you yet made up your mind on what exactly you plan to do with Hydro One?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I don't know where the Leader of the Opposition has been. We've said very definitively that we are going to bring private sector discipline to Hydro One, that we are going to entertain bringing in a private sector partner. We will not part with control. We will retain more than 50% ownership in Hydro One.

**Mr McGuinty:** Let's just take a moment, Premier, and go over the record to show how definitive and unequivocal you have been throughout.

On April 26, one of the newspapers reads: "Hydro One Sale to go Ahead: Eves." Thursday, May 2: "Eves: Hydro Sale 'Off the Table.'" Thursday, May 30: "Eves Defends Hydro Bill: Legislation Would Allow Sale of \$5.5-billion Electricity Grid." June 13: "Hydro Sale is Now Off." Now we're back to June 20: "Hydro Sale has Tories' Support." The last one—and this is a beauty of course, because it's particularly telling—says, "No Decision Yet on Hydro One Sale: Eves."

You're now going to give yourself full legislative authority to do as you please with Hydro One. I ask you again: have you made up your mind yet in terms of

exactly what you're going to do with Hydro One this summer?

**Hon Mr Eves:** First of all, the legislation before the House today does exactly what we said it did when we introduced it, in fact, before we introduced it. It gives the province of Ontario the power of ownership it always thought it had with respect to assets it owns on behalf of the people of the province of Ontario.

We are going to entertain proposals from the private sector to part with up to 49% of the entity and bring private sector discipline to the entity. Surely you who stood in this House and asked questions day after day about compensation and severance packages at Hydro One, criticizing the then board and chief executive officers of Hydro One, would not now want to say there doesn't need to be some private sector discipline brought to that entity.

1430

**Mr McGuinty:** Do you know what I think, Premier? I think you in fact do have a plan for Hydro One now. You simply lack the courage of conviction to share that plan with the people of Ontario.

You have been meandering aimlessly. If the Minister of Finance wants to know what my plan is, keep it. It's as simple as that. Keep it. It's not a big deal.

I ask you again, Premier, on behalf of Ontarians, now that your meandering, aimless, directionless journey has come to an end and you have in fact made up your mind, would you like to extend the courtesy to Ontario families of sharing exactly what your plans are for Hydro One?

**Hon Mr Eves:** Speaking of knowing exactly what you're doing, Dalton McGuinty, on May 29: "I have been very consistent with respect to Hydro One. I think it should be kept in public hands. I've been very consistent."

Dalton McGuinty, December 12, 2001: "I would bring in legislative oversight. I think it's important to move ahead with competition in terms of both generation and transmission. There are good public-private partnerships."

You're very consistent, all right, Dalton. You're all over the map.

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. We've had our fun.

#### ENRON CORP

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. Premier, in February I asked your government what role the infamous Enron Corp had in your government's hydro policy. The then Minister of Energy, Jim Wilson, said that the government never had any private meetings with Enron. He said that Enron Canada had nothing to do with Enron Corp in the United States. Mr Wilson said that, even though Enron had given thousands of dollars to the Conservative Party and to Mr Wilson's electoral campaign itself, they never received special treatment from the government.

Premier, these are briefing notes from June 19, 2001, pertaining to a meeting between Jim Wilson, Minister of Energy, senior officials in the Ministry of Energy and Kenneth Lay, the chairman of Enron Corp.

Premier, you would know Kenneth Lay. He is quite an infamous person now, having salted away millions of dollars in off-shore bank accounts, having been behind a billion-dollar swindle of energy markets in the United States.

Can you explain how Mr Wilson would have forgotten about such a meeting with such an infamous person?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I refer the question to the Minister of Energy.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** The member opposite makes the allegation that somehow there's some connection between OPG, the government and Enron. There isn't. The simple fact is, there isn't. If you're saying, OK, a meeting took place, a meeting may have taken place but there is no evidence whatsoever that there is any correlation between our government and Enron.

Furthermore, if you want to suggest that in some way there's some taint or smell about OPG, about Hydro One, about the IMO and the OEB with respect to the Enron debacle that took place in the United States, you may in fact make that allegation and suggestion. But I'm saying to you that there's no connection whatsoever. It's a wild goose chase that you're on, trying to chase this down.

**Mr Hampton:** I guess my question would be, why did the then Minister of Energy deny having such a meeting with such an infamous person, with a corporation that then went on to become the largest single bankruptcy ever in the world, a corporation that's under investigation in state after state in the United States?

But the briefing notes are interesting. According to this note, the minister wanted Enron's advice, Ken Lay's advice, on when to open the electricity market, on how to educate the public about the for-profit market. He wanted the advice of this corporate swindler on how to do it.

Right at the top of this document it says, "Desired outcome"—

**Hon Jim Wilson (Minister of Northern Development and Mines):** On a point of order, Mr Speaker: I think if the honourable member did his homework, he would find those are briefing notes prepared for a meeting that never took—

**The Speaker (Hon Gary Carr):** Take your seat. The minister can answer the question and repeal that.

*Interjection.*

**The Speaker:** Take your seat, Minister, right now.

The leader of the third party.

**Mr Hampton:** It says, "Desired outcome: the minister and Enron Chairman Ken Lay develop an ongoing relationship." We know that three out of four people in this province don't want your privatized, deregulated electricity market, but you never want to talk to them. But your government wanted an ongoing relationship



with the largest corporate swindlers ever in the history of the world.

Premier, this is a corporation that's under investigation in the US Senate. It's the subject of multi-million dollar lawsuits. Tell us, why did your government want a comfortable, ongoing relationship with this corporate swindler?

**Hon Mr Stockwell:** It's like *The X-Files*. This guy lives in a fantasyland and it's hard for us to try and wrap our hands around his ankles and pull him down to earth. You may have a briefing note that suggests there was this meeting that was going to take place. The minister has already told you that he never met with Enron. Now, don't you think it's kind of important when you start allegations that we met with the biggest swindler in the world that's ever been around, yadda yadda, that maybe the meeting should have taken place? Well, the meeting didn't take place, so all your allegations go up in smoke. The meeting didn't take place.

You never sent the letter. Your caucus has dreams you're not the leader. Those things happen. The letter wasn't sent. The meeting didn't take place. *X-Files* is on tonight. I know where you'll be.

**The Speaker:** Final supplementary.

**Mr Hampton:** Maybe the Premier and maybe the Minister of Energy would like to explain another meeting which took place in 1999 between the Minister of Energy and the same corporation, for which there are briefing notes available. But what is interesting here is, it's very clear that your government appointed Enron representatives to the independent market operator design, to the technical design committee, that Enron contributed significant sums of money to your government, that you wanted an ongoing relationship with this corporate swindler.

In the United States you now have investigations before the Congress, you now have legislative committees looking at how Enron shaped failed US energy policy. So I'm going to ask you, since your government wanted this ongoing, cozy relationship with Enron, since you wanted them on every one of the market design committees, I ask the Premier, will you do what is now being done in the United States and have a legislative committee look at how this corporate swindler influenced your government's design of hydro deregulation and hydro privatization? If it's good enough for the—

**The Speaker:** Just before the minister gets up, the third party, I would say we tried to do it quietly so we didn't waste time in question period; we've asked you to remove those boxes. They are a demonstration. The Sergeant at Arms has asked you. All you're doing is moving them around, so now we are going to take time out of question period. If you don't get your question, it's because of the antics that we're doing this. The boxes have wording on there about Hydro. They are a demonstration. I'm now going to ask the Sergeant at Arms to remove them. In the future, if they come up to you, they are doing it on my behalf, and when they request something, they do it because I want it to happen.

**Mr David Christopherson (Hamilton West):** On a point of privilege, Mr Speaker: Just for the record, and we have no intention of disregarding your request, I think there was a communications problem. The wording we got was that the camera was picking it up, would we "move" it. The word wasn't "remove." Otherwise we would have immediately.

**The Speaker:** The problem is having the wording on there, and that could have been taken off. We've been here since the beginning of question period with it. I didn't want to take time to do that because I know you like to get to your question, but if I have to do it and waste time in question period, I will do it. When the members of the Sergeant at Arms request something, they do it because they're speaking on my behalf. I would ask all members to co-operate with the Sergeant at Arms. The Sergeant at Arms has a very difficult job to do. He respects all members, but when he's asking on my request, he's doing that because I've asked him to do it.

The Minister of Energy.

**Hon Mr Stockwell:** Thank you, Mr Speaker.

The industry nominates the—I'm sorry. They're all caught up. I guess they didn't realize they had boxes there.

The industry nominates the people with respect to the appointments, I say to the leader of the third party, and I think you knew that as well. You're right: they have a representative on the IMO. Beyond that, I don't know. You're off on a—

**Hon Mr Wilson:** It's Enron Canada too. It's a different company.

1440

**Hon Mr Stockwell:** I understand. There's no point in explaining it to him, because he doesn't want to know what the facts are. He just wants to get up in a big rant, in a big rave, and go on and on about his conspiracy theories and all these ideas that keep coming to the fore.

The fact of the matter is this: Mr Hampton, you have travelled the province making these outrageous comments. You have made these allegations in the House about our dealing with some swindlers and slanderous sorts. You know this not to be the case, yet you stand up every day. It's beneath you as a member to make these kinds of unsubstantiated allegations that smear not only my name, the government's name, but directly smear the minister, Mr Wilson. I find it reprehensible that you continue to do this when you know the facts. These questions are nothing more than cheap publicity stunts designed to muddy and sully our names. Frankly, I'm sick of it.

## COMPETITIVE ELECTRICITY MARKET

**Mr Howard Hampton (Kenora-Rainy River):** I have a question to the Premier. It's evident that your government does intend to allow a discriminatory system of hydro rates to take hold in Ontario. The IMO has in fact spent a great deal of time studying this. This latest scheme has people in northern and rural Ontario worried

that they would in effect have to pay higher transmission rates for their electricity. They're worried with good reason, because it could leave them paying much higher prices. What other people don't realize is that someone living in a large urban area could also pay much higher prices—for example, the greater Toronto area.

Premier, will you give us a commitment today to call off this scheme of so-called marginal locational pricing so that people aren't forced to pay higher and higher hydro rates?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I'm sure the Minister of Energy can answer the question for the honourable member, as he did yesterday.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** It's the same answer as yesterday. The fact of the matter is that the IMO is simply gathering data. They're just gathering data. There has been no mechanism put in place. This is not a done deal. It hasn't been agreed to by anybody. They're simply gathering data. I don't know why you're opposed to a company going out to gather data. If it's not a good plan, if it's not a good deal for the taxpayers, if it's not a good deal for the ratepayers in Ontario, they have one party they can count on to represent them, and luckily we're in power.

**Mr Hampton:** Premier, you have received these petitions; you have received these e-mails. We've received tens of thousands of them from people across this province, three out of four people saying, "Don't sell off our hydro system; don't deregulate the market; don't privatize." Yet what's clear is that you've got all kinds of time, in 1999 and again in 2001, to sit down with companies like Enron, companies that authorized the Death Star scamming strategy, the Fat Boy scamming strategy in California, the Ricochet scamming strategy, a company that just last week, in the New York Times, was under investigation for hiding \$1.5 billion in profits while people in California were being gouged.

Why is it, Premier, that your government won't listen to the people but you're so interested in listening to the very scam artists who are under investigation, not just in Canada but all across the United States? Who counts with you? The people certainly don't. Why do companies like Enron count so much?

**Hon Mr Stockwell:** Leader of the third party, you should be careful when you start about polling data. As I understand polling data today about you and your party, more people believe Elvis is alive than would vote for you. According to polling data, more people believe the earth is flat than would vote for you. I'm not really certain that you should be ranting on about polling data and talking to the government about polling data. If you want to talk about polling data, then maybe you should worry a little bit more about getting your polling data up rather than being concerned about us and how we work this government.

Last, we have made this decision, and we've made this decision to examine all the options. The status quo

wasn't on the table. We're getting private market discipline and we will retain public ownership. From all the people I've talked to in Ontario, they think it's a good idea. What they're asking me about is how come it took you and the Liberals so long to get Bill 80 passed to protect the taxpayers from the deals the board made with the senior executive of Hydro One. They don't understand why you and your bedfellows, the Liberals, coerced this House into four and five days of hearings when everybody knows that's—

**The Speaker (Hon Gary Carr):** The minister's time is up.

#### OTTAWA-CARLETON DISTRICT SCHOOL BOARD

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Minister of Education. Families in Ottawa are concerned about the objectivity and independence you're going to accord the investigator who is coming to examine the Ottawa-Carleton board of education. You can allay those fears today by assuring us that this investigator will have a free hand in making recommendations to you, including a recommendation for greater funding. The question I have for you is, will your investigator have complete freedom to make any recommendation, including a recommendation for more funding?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** It's an interesting question, but let me refer to the terms of reference regarding the investigator who has been asked to review the finances of the Ottawa-Carleton District School Board.

I might also mention at this point in time that the commission in July 1999 already indicated there were problems with the Ottawa-Carleton board in not moving forward to achieve the efficiencies and reductions that had been requested, so we are now taking the action that the board did not undertake.

The investigator will assess the board's financial position, review the financial management and program decisions already taken by the board, review the recommendations of board staff, assess whether implementation of the recommendations would result in a balanced budget and provide a recommended course of action. The investigator has the absolute freedom to recommend the course of action he or she would deem appropriate.

**Mr McGuinty:** The reason I ask is that when you were asked about this, you told the media there was no more money coming. It is one thing to say your investigator will have a complete and free hand with respect to coming up with recommendations for you, but that would be a purely academic exercise if you're not prepared to give any more money.

To be more specific, now that you've concluded and agreed your investigator will, in fact, have a free hand and is open to making a recommendation for more money, the question I have for you is, if that investigator



comes up with a recommendation for more money, will you then provide more money in keeping with the recommendation?

**Hon Mrs Witmer:** It would be inappropriate for me to determine before the fact what the investigator at the Ottawa-Carleton board may or may not decide. However, I would just remind the Leader of the Opposition that since 1999 the EIC, the commission that was set up to take a look at what boards were doing as they moved forward to achieve efficiencies and reduce the amount of money that was being spent, has been recommending that this board take action. We're now at a point where we're going to do the financial assessment.

## NURSES

**Mr Marcel Beaubien (Lambton-Kent-Middlesex):** My question is for the Minister of Training, Colleges and Universities. I want to talk to you about nurses today. We keep hearing report after report that we're going to face a shortage of nurses 10 to 15 years from now. Recently, Eva Ryten, from the Canadian Nurses Association, found there will be a shortage of 113,000 nurses by the year 2016. I must admit that by the year 2016 I'm probably going to need some nursing help, and I'm sure many members in this House are going to need some. Furthermore, as of January 2005, Ontario will no longer provide the diploma nursing program in this province. Can you tell me how, by eliminating this particular program, we're going to deal with the possible nurse shortage we're going to face 10 or 15 years from now?

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** This is a challenge for all of us, but we're very confident that with our university programs, our college programs and our bridge training programs for foreign-trained nurses, we will meet the estimated number the member speaks of.

I want to emphasize that we do understand the need for more nurses. We have put over \$120 million toward increasing the number of graduate RNs by a projected 25% this year and another 25% next year. In the next three years, we expect to graduate over 8,000 new nurses. This is the largest number—of course we have more to do. I want to emphasize that the number of graduates from both our colleges and our universities—not just the programs the member has spoken about—is increasing substantially.

1450

**Mr Beaubien:** Thank you for your reply, but I have done a little bit more research on this subject. As you are very well aware, it's a subject I'm not going to let go. I am very concerned about this, because if we look at what happened in this province 10 or 12 years ago when the Liberals and the NDP decided to reduce the number of applicants to medical schools, we face a shortage today. I have some statistics in front of me that tell me the final intake nursing diploma enrolment for new entrants in the year 2001-02—

## Interjections.

**Mr Beaubien:** Why don't listen for a minute? You might learn something.

There were 2,650 new diploma nursing entrants. On the compressed degree enrolment, the new entrants for the year 2001-02 were 241. The university stand-alone degree enrolment for the year 2001-02 was 66. Minister, the numbers just don't seem to add up. I'm very concerned. I think we need to look after that. I think your ministry needs to reintroduce the diploma nursing program in this province.

**Hon Mrs Cunningham:** I'm happy to respond to my colleague. He is quite right that the last intake for the college diploma leading to a certified four-year registered nurse is in 2004-05, but we also have nursing programs for RNAs, and I think that is what's missing in the question my colleague is asking. It should be noted that we are not only increasing the number of university-educated nurses; we are also increasing the number of college-educated RPNs as well. In fact, we lifted the quota on the number of registered practical nurses training in Ontario.

So there are two charts to look at. One is for the RNs, and the other is for the registered practical nurses, who are doing a fabulous job, and we're expecting enrolment increases over 26% by 2004-05. All these nurses are well qualified to deal with the technology and the care of patients in our hospitals and in home care.

## GOVERNMENT POLLING

**Mr Gerard Kennedy (Parkdale-High Park):** I have a question for the Premier. I want to ask you about actions you took in 1998 that show some of the parents and children who are watching your priorities when it comes to education. You were finance minister and Deputy Premier then, and parents were protesting—in fact, you were taking control of the funding of education. You were fighting with the school boards.

We've just learned through a freedom-of-information request what you were also up to. What you were up to was hundreds of pages of polling, campaign-style, every night, polling of public opinion being done, paid for by taxpayers. These are political and partisan questions. They cost the taxpayers half a million dollars, and the half a million dollars was paid to Bradgate Research, owned by John Mykytyshyn, who is your Conservative Party pollster.

When the schools were in chaos then, why was the first priority of your government to spend over half a million dollars on partisan polling?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I'm not aware of the information he's talking about. I'd be happy to take a look at it and respond.

**Mr Kennedy:** For half a million dollars, I hope he looked at it when he had it commissioned in the first place. Just like back in 1998, we now see the results of your taking control of education. There is turmoil; there

is chaos. Your solution back then was partisan polling. You asked questions like, "Does the public feel that the Mike Harris government is going in the right direction?" and, "What is your impression of the Mike Harris government?"

When you were finance minister, you authorized one of the most blatant abuses of government funds. This money, this half a million dollars, came from the education budget. It was paid for by the Ministry of Education. Minister, you were the finance minister and you were Deputy Premier. This came out of the operating budget of the Ministry of Education, not the ministry budget. Premier, will you admit that you were aware that this half a million dollars was being wasted on partisan polling and, more importantly, frankly, Premier—because children and parents want to know what your priorities are—can you guarantee us today that nothing similar is going on, that you're not spending taxpayer money on partisan polling on education or, for that matter, on health care and—

**The Speaker (Hon Gary Carr):** I'm afraid the member's time is up.

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** The honourable member knows very well I have never been the Minister of Education in the province of Ontario. He knows that—

**Mr Dominic Agostino (Hamilton East):** You were finance minister.

**Hon Mr Eves:** The Minister of Finance now runs every single ministry in the government? Jimmy, how long have you been around here? How long has the member for St Catharines sat in this House?

The reality is—

*Interjections.*

**The Speaker:** It's a little too noisy. Order.

**Hon Mr Eves:** The reality is, with respect to education, the honourable member very well knows that the Minister of Education, and the Minister of Finance, for that matter, in her most recent budget last Monday, earmarked 557 million new dollars for education in the province of Ontario—half a billion dollars in new money going to public school boards across the province, in-year. That is where our priorities lie with respect to education. We will continue to make improvements to the education system in Ontario, and we will continue to do so on behalf of the young people across the province, so everybody has an equal opportunity in education in this province.

#### PROTECTION OF PRIVACY

**Mr Ernie Hardeman (Oxford):** My question is to the Minister of Consumer and Business Services. Minister, there's been a lot of discussion recently about the draft privacy legislation that you and your ministry are developing. I understand that the proposed legislation will govern the way businesses, hospitals and charities collect, use and disclose personal information. It will affect everything from the way my medical records are handled,

right down to how a telemarketing company can use my information.

I'm very excited about the strong consumer protection angle of the bill. However, I've heard some concerns from both the for-profit and not-for-profit sectors about how this bill will affect their fundraising ability. What are you doing, Minister, to address their concerns in this very important piece of legislation?

**Hon Tim Hudak (Minister of Consumer and Business Services):** I appreciate the question from the member for Oxford and for the letter he has written to me representing his constituents back home, from June 3.

To answer the question directly, we're working very hard to make sure we get this legislation right. People want to be assured that their personal information and their personal health information is used for proper purposes, that it is protected. At the same time, we have to ensure that there is a balance in place for companies who depend on this information for their businesses, for jobs, particularly charities, for the use of information to further their good purposes.

We've received to date about 400 different submissions on the draft privacy bill, ably begun by my predecessor, Minister Sterling. We've held workshops with groups from charities to hospitals to the privacy commissioner, among others. I'm pleased to say that a lot of progress has been made. I'd like to introduce to the members somebody who has been instrumental in making sure we get the language right. Joining us in the gallery today is Susan Mullin from the Association of Fundraising Professionals, who has played a critical role in these consultations. Thank you, Susan.

**Mr Hardeman:** Thank you very much, Minister. I'm pleased to hear that we have representatives from the non-profit charities here today also expressing their concerns about the legislation.

I've heard from many of my constituents, who write me and talk about the difficulty they will have in fundraising for organizations such as the United Way of Oxford. They think that this bill will dramatically decrease their ability to fundraise. They're worried that they will have to obtain consent from every previous and potential donor before contacting them to solicit a donation. This would create a much greater administrative burden and far less money going to the cause for which they are collecting.

I know that they brought these concerns on the implications of this legislation to your attention. Can you please tell the House what changes you will be making to this draft legislation to address this very large issue?

1500

**Hon Mr Hudak:** The member makes a very important point. We appreciate hearing from groups like the United Way of Oxford, among the 400 different submissions we have received to the draft legislation. It has been beneficial to hear from both sides of the debate.

Obviously, we want to ensure that charities continue to prosper and move forward on their important initiatives on health care, education and other issues like



them. Clearly defining the rights of a consumer or individual to opt out of future mailings, for example, would be important. But the fear the member brings forward I believe has been addressed, and subsequent changes will be coming forward thanks to folks like Susan Mullin and those in that sector. We want to make sure personal information is protected, but at the same time we want to enable charities to continue to do their good work.

### MENINGITIS C

**Ms Shelley Martel (Nickel Belt):** I have a question for the Premier. Today there is a three-and-a-half-year-old girl from Mount Elgin who is in critical condition in a London hospital after contracting meningitis C. This did not have to happen. This is a preventable disease.

For almost a year now, New Democrats have urged your government to implement a province-wide immunization program. There are boards of health across this province, including Oxford county, which have passed resolutions supporting this call.

Two weeks ago, I introduced the Michael Maxwell bill in memory of a 17-year-old from Ingersoll who died of meningitis on March 14. His family was in the gallery that day. His father, Gregg, e-mailed many of us this morning, asking us to pass his son's bill today, especially in light of the serious situation facing yet another Ontario family.

Premier, the question is simple: will you do the right thing? Will your government support the Michael Maxwell bill today?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I believe the Minister of Health can respond to this.

**Hon Tony Clement (Minister of Health and Long-Term Care):** I can tell this House that of course public health protection is a top priority for our government. We are working very closely with the regional medical officer of health in this case to investigate the case and of course want to offer our sympathy to the family involved.

I can tell this House that the patient is still hospitalized but is responding well to treatment. We remain very hopeful in her case. We are of course working with the local health authorities to make vaccines available to the close contacts. The honourable member may want to know that we contribute 50% of all costs associated with an outbreak investigation and administration. But if it is determined that vaccinations are needed, we pay 100% of the costs out of the provincial budget.

**Ms Martel:** Minister, the question was, would the government support the Michael Maxwell bill today? We have a three-and-a-half-year-old girl in a London hospital who is in serious condition after contracting meningitis C. This is a disease that is preventable. We have a vaccine that works. Quebec and Alberta determined that meningitis was a serious public health issue and moved on their own to implement a province-wide immunization

campaign against meningitis C. You should follow their lead.

I ask you again, in all seriousness, Minister, will you do the right thing today and implement a province-wide immunization program and public education campaign against meningitis C so no Ontario family ever has to face this again?

**Hon Mr Clement:** I want to assure this House that we continue to follow long-standing national guidelines when it comes to the control of meningitis. This is also an issue of national importance. We continue to seek to work with the federal government on a strategy to provide improvements to this program. Last year I wrote to the Minister of Health on this very issue. I have not yet received a response, but I did have the opportunity to meet with my federal counterpart, Anne McLellan, recently and raise the issue again, because we feel it is a matter of common interest and of national interest, and we will continue to advocate on behalf of the people of Ontario.

### ANGIOPLASTY SERVICES

**Mrs Sandra Pupatello (Windsor West):** My question is for the Minister of Health. Here is the current status for heart patients in the Windsor area who need angioplasty and are on a waiting list for London. We have four patients sitting in a Windsor hospital waiting for a transfer to London. In London, all eight angioplasty beds are full. In our catchment area, 40 people considered semi-urgent are waiting for their call to travel to London. Two years ago, these people waited six to eight weeks. Today, they wait four to six months. Today, they're being rerouted to St Mike's in Toronto and Trillium in Mississauga whenever our cardiac coordinator can get them in. London can't fit everyone; there's no room, and people wait.

Last May you met with me and Dr Chetty in Windsor. You said it was a good idea. You had a fundraiser for your leadership campaign, hosted by a cardiologist. You told them that night it was a great idea and to expect the announcement by January. You told them that months ago; that was six months ago.

Minister, you've announced the Scarborough site already. The people in Windsor want to know when we are getting our angioplasty in Windsor.

**Hon Tony Clement (Minister of Health and Long-Term Care):** I do want to inform this House that there are 17 approved cardiac catheterization centres throughout Ontario. Last year the ministry, on behalf of the people of Ontario, funded 45,898 cardiac cath procedures. Of course, as the honourable member knows, we have five new cardiac cath centres thus far. Certainly, with the announcement in last week's budget that Ontario hospitals are receiving \$9.4 billion worth of funding from the taxpayers of Ontario, which is a record amount, we believe we are providing better services closer to home, and that includes cardiac services as well.

The honourable member is correct: I have not closed the door to a local catheterization procedure centre. I certainly would like to work with the local hospitals in that regard.

**Mrs Papatello:** Our Windsor hospital has now formalized its relationship with Beaumont Hospitals in Michigan. Our cardiologist won't let the urgent cases wait on London lists because they're not a top priority in the scope of all southwestern Ontario. Your announcements, or whatever you just said, have made not a bit of difference for southwestern Ontario.

Listen to this carefully: three patients per month whom we are sending to Beaumont in Michigan cost us \$1.3 million. Our proposal is that \$1.25 million would pay for 357 people to be done in Windsor. It's just crazy to pay this money to a US hospital when we can do it in Windsor for 10 times the number of people.

Minister, it's crazy not to make this announcement immediately. If you don't do it because you care for our people getting in on a timely basis, do it for the money you'll save. It just makes sense to make this announcement. The figures don't include the wait these people have in a thousand-dollar-a-day bed in a cardiac care unit. It makes absolutely no sense. You came to us. You said you liked the idea. You've already made this announcement in Scarborough. You promised the people in Windsor that you would do this. Why are you breaking your promise?

**Hon Mr Clement:** We're not breaking any promise. The honourable member has some interesting statistics and figures. You'll forgive me if I'd like to review them, given events in this Legislature earlier this session. Certainly I welcome any statistics you have; I welcome any facts you have. I've said in Windsor on numerous occasions that I'd like to work with the local community to work out a proposal we can review. Of course I want the best health care for the citizens in the Windsor-Essex area, and I'd be happy to work with honourable members on this side of the House and opposite in order to carry that out.

## BIOTECHNOLOGY

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** My question is for the Associate Minister of Enterprise, Opportunity and Innovation. Biotechnology is one of the driving forces of today's global economy. It provides unprecedented knowledge and scientific advances of high commercial value that save lives and improve the quality of life for the people of Ontario and around the world. Furthermore, encouraging Ontario to be at the cutting edge of research and development will lead to thousands of new jobs in Ontario and billions of dollars in economic activity. What is our government doing to support the growth of a biotechnology industry in Ontario?

1510

**Hon David Turnbull (Associate Minister of Enterprise, Opportunity and Innovation):** I want to thank

the excellent, hard-working member for Bramalea-Gore-Malton-Springdale. Certainly our government recognizes the importance of encouraging innovation. Innovation and research are essential to creating a strong economy, and thus a higher quality of life. This means we can have better schools, better hospitals, more jobs and better health care.

Currently, Ontario's pharmaceutical and biotechnology cluster ranks number seven among North American states and provinces. Toronto is the fourth at the regional level, just behind Los Angeles. Ontario has set a very ambitious goal, and that is to be one of the three top biotech jurisdictions in North America.

Two weeks ago our government announced a \$51-million biotechnology strategy which is anticipated to bring new research and commercialization interests in excess of \$10 billion within 10 years. The cornerstone of this strategy is to—

**The Speaker (Hon Gary Carr):** I'm afraid the associate minister's time is up.

Supplementary?

**Mr Gill:** Thank you, Minister, for working very hard in elaborating on our government's biotechnology strategy. The International Biotechnology Convention and Exhibition, the BIO 2002 conference, which I was pleased to attend, was held in downtown Toronto approximately two weeks ago—of course the member from Durham, Mr John O'Toole, was there with me—where more than 14,000 participants from around the world attended. I know that our province participated and raised awareness among delegates, potential investors and researchers about the benefits of investing and undertaking research in Ontario. Minister, can you tell us why Ontario is indeed a great place to invest and undertake biotechnology research?

**Hon Mr Turnbull:** Ontario has built a very strong economic foundation. Over the last seven years, Ontario has earned a reputation as a very good place to do business. We've cut taxes close to 200 times, and this has resulted in almost 900,000 net new jobs. By 2006 we will have the lowest combined corporate income tax rate of any US state or Canadian province.

In a recent KPMG study, Ontario's major cities, Ottawa and Toronto, were shown to have the lowest cost to do business as compared with major cities in the US. Ontario, we know, is the home to some of the world's most respected researchers and at the forefront of major developments. We will continue to make Ontario an ideal place to live, to work, to raise a family and to grow a business.

## NEW VISIONS

**Mr George Smitherman (Toronto Centre-Rosedale):** Mr Speaker, my question is to the Minister of Health. It concerns the future of eight residents at New Visions. Today in the Speaker's gallery we are joined by six of the eight residents whose very future is threatened: Mark Ciccotelli, Ava Clewes, Jason Bromfield, Dale Hunter,



Michael Millard and Cale Baird are here to indicate to you, along with friends and caregivers, the extent to which they feel threatened.

Last night, Cale Baird had the opportunity to graduate from Monarch Park high school, a success that he attributes to the quality of life—

*Applause.*

**Mr Smitherman:** I'm sure he appreciates the applause, but I think he'll be waiting in anticipation for your answer, Mr Minister. He attributes his success to the stabilization that has occurred at New Visions. Now, within 90 days, he's threatened, along with seven others, with eviction and likely reinstitutionalization.

Minister, will you tell these six people, their caregivers and their families what steps you're undertaking to make sure that the circumstances they presently are engaged in, which are positive, continue.

**Hon Tony Clement (Minister of Health and Long-Term Care):** I thank the honourable member for the question and for any work he's doing in this regard. It looks like he is well apprised of certain aspects of the situation. I think I can speak for all members of the House when I say that our first concern is for the clients of this particular agency, and we want to make sure they have continual access to health care and other community services that are required for them.

We've been involved in a series of meetings with the officials involved in New Visions Toronto. There has been an unfortunate circumstance in which New Visions withdrew themselves from funding that we had offered them. I'm hoping, if I can have the honourable member's assistance if he wishes to provide it, to reinstate their acceptance of our funding because I have \$500,000 which I would like to spend on that particular agency as quickly as possible for its residents. So perhaps, if we can work together, we can solve this together.

**Mr Smitherman:** Minister, as far as it goes that's a terrific answer, but let's be clear about something: they said that they could not accept the funding because their fiduciary responsibilities require them not to run a deficit. They cannot, within the funding envelope that you propose, care for these eight individuals. Comsoc has been picking up the tab for that, and this year they have said no. They want to continue to offer care. The executive director of New Visions is in the members' gallery. She wants to continue to offer care, but for the sake of \$100,000 a year, eight individuals will be re-institutionalized at a cost of God knows how many hundreds of thousands of dollars annually.

So, Mr Minister, the power is in your hands to decide which silo in your ministry will foot the bill: one at the reasonable rate of \$100,000, or one at some rate so exaggerated that we will all look like fools. The power is in your hands, Minister. Yes, in answer to your question, I will work with you, but when you leave the east lobby doors today, these folks—and Cale Baird among them—will be there to talk to you.

I want to work toward a settlement that works for these people. Let's be clear here: they didn't say they

didn't want to offer the services; they are not able to run a deficit. The issue is \$100,000 a year. Let's solve that. Let's settle that. What will you do around that today?

**Hon Mr Clement:** Let me say a couple of things. First of all, for each Ministry of Health-funded space in this particular agency, the agency receives roughly \$56,000, which is, I believe, an important amount of money. But I'm certainly willing to continue the discussions. My understanding is that my officials had discussions with their officials yesterday. I took the liberty, when I realized that we might have a few visitors in the gallery, to secure a room in this Legislature for my officials and myself, as necessary, to work with whichever person is designated for that approach. You're certainly welcome to be part of that discussion too.

### CANCER CARE

**Mr Garfield Dunlop (Simcoe North):** My question is also to the Minister of Health and Long-Term Care. Several of my constituents are interested in the initiative this government is taking to improve cancer care here in the province.

In May's throne speech, this government made several commitments to improve cancer care in Ontario. Minister, can you please tell me how the 2002 budget addresses the government's throne speech commitments and what initiatives this government is taking to try to eradicate this horrible disease?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I don't think there's a person in this House who has not had a family member or a friend touched by this terrible disease.

In May's throne speech, this government promised to actively pursue a strategy to eliminate the two leading forms of cancer, breast cancer and prostate cancer, and we committed to immediately expand the scope of our cancer research network so that research on all forms of cancer be eligible for funding. We are committed to the eradication of cancer, and we will continue to fight this devastating disease which affects, as I say, so many families across Ontario.

The budget, without a doubt, reinforces this commitment. As stated in that budget, we will invest an additional \$40 million for new treatments for individuals with cancer; increase funding of \$50 million over three years to enhance the Ontario Cancer Research Network, doubling the number of patients who can benefit from this research; and provide \$30 million to modernize and upgrade cancer radiation equipment. Of course, in a bid to eradicate one of the worst forms of cancer, we did increase the cost of cigarettes, which experts indicate will help deter young Ontarians from smoking. Our record is clear.

**Mr Dunlop:** Minister, I'm very delighted to hear what this year's budget is doing to improve cancer treatment and research here in Ontario.

Minister, these new funding commitments are without a doubt good news for those suffering from cancer. I'm

sure my constituents are delighted to see how cancer care-related facilities and programs are a priority for this government. Can you please tell me what others are saying about these initiatives as we go on?

**Hon Mr Clement:** I just happen to have transcripts of particular quotes from across the province as a result of the budget initiatives. Northwestern Ontario Regional Cancer Centre spokesman Michael Power stated, "This is outstanding for Cancer Care Ontario, it's outstanding for cancer patients and it's outstanding for the Northwestern Ontario Regional Cancer Centre." In the Windsor Star, Rob Cunningham of the Canadian Cancer Society applauded the tobacco tax increase. Terry Sullivan, vice-president of preventive oncology at Cancer Care Ontario, said the tax increase may be the single most important step in cancer prevention in this province.

While experts in the cancer field are cheering the initiatives, we would like to hear from Dalton McGuinty and the Ontario Liberals to come out and also show their full support for what this government is doing to help fight this terrible disease.

1520

#### LABOUR DISPUTE

**Mr Peter Kormos (Niagara Centre):** My question is to the Premier. Yesterday, city of Toronto outside workers, hard-working women and men of CUPE Local 416, were forced on to picket lines, not around the issue of wages but around the issue of job security, which really means privatization. I want you to know that the NDP strongly supports CUPE Local 416 in their struggle to maintain healthy public services. Premier, will you support their right to freely collectively bargain and to lawfully strike?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** This is a dispute between the city of Toronto and their employees. The province of Ontario has no intention of intervening unless health or safety becomes an issue.

**Mr Kormos:** Premier, the motivation of the city of Toronto and other cities across this province during the course of similar bargaining sessions is to terminate job security, and similarly to open the door to privatization in an effort to reduce costs.

You've authored this scenario by virtue of down-loading on to communities, by imposing new costs on them and by merely providing them these so-called tools in your tool boxes. You're part of the problem, Premier. You're the one who's rolled out the red carpet and set the standards for privatization. Why aren't you part of the solution?

**Hon Mr Eves:** One day the honourable member wants us to intervene, the next day he doesn't. In fact, from one minute to the next he wants us to intervene then doesn't want us to intervene.

This is a matter between the city and its employees. He correctly points out that the city employees have the right to bargain, and we have no intention of interfering.

#### PUBLIC SECTOR COMPENSATION

**Mrs Marie Bountrogianni (Hamilton Mountain):** My question is for the Premier. This morning Bill 53, the Public Sector Employees Severance Pay Disclosure Act, was supposed to go through clause-by-clause in the public accounts committee. It is a bill that I modelled after your very own sunshine law. Basically—it's very uncomplicated—public CEO severance packages that are over \$100,000 should be made public.

The bill received unanimous consent at second reading in November, including support from your caucus and ministers. Public hearings were held in March, and the privacy commissioner supported the bill.

This morning, government members used procedural tactics to avoid clause-by-clause review of Bill 53. The member for York North read from a script for 20 minutes to avoid this. This is the kind of circus that is abhorrent to the public and makes them laugh at us as politicians.

Premier, instead of paying lip service, will you direct your government members to seriously look at this bill, which will bring openness and accountability to public sector severances?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** Committees in the Legislature have the right to order their own business, and that is exactly what they are doing.

#### PETITIONS

##### HIGHWAY 69

**Mr Rick Bartolucci (Sudbury):** I have a petition signed by literally thousands of people from all across Canada and the United States. It's with regard to four-laning Highway 69 from Sudbury to Parry Sound.

"To the Legislative Assembly of Ontario:

"Whereas modern highways are economic lifelines for the north; and

"Whereas the stretch of Highway 69 from Sudbury south to Parry Sound is a treacherous road with a trail of death and destruction; and

"Whereas the carnage on Highway 69 has been staggering; and

"Whereas the Harris-Eves government has shown gross irresponsibility in not four-laning the stretch of Highway 69 between Sudbury and Parry Sound; and

"Whereas immediate action is needed now to prevent more needless loss of life; and

"Whereas it is the responsibility of a government to provide safe roads for its citizens, and the Eves government has failed to do so;

"Therefore, be it resolved that we, the" several thousand "undersigned, petition the Legislative Assembly of Ontario to urge the Eves government to begin construction immediately and four-lane Highway 69 between Sudbury and Parry Sound so that the carnage on death road north will cease."



Of course I affix my signature to this petition and give it to Jordan to bring to the table.

### COMPETITIVE ELECTRICITY MARKET

**Mr Gilles Bisson (Timmins-James Bay):** We have literally thousands of petitions from people across Ontario wanting to stop this dirty deal on Hydro. It reads as follows:

"To the Ontario Legislature:

"Whereas the Harris government's plan to privatize and deregulate Ontario's electricity system will lead to higher rates because private owners will sell more power to US customers whose rates are typically 50% higher than Ontario's; and

"Whereas selling coal plants like Nanticoke to the private sector will lead to more pollution because the private owners will run the plants at full capacity to earn a profit; and

"Whereas electricity deregulation in California has led to sky-high rates and blackouts; and

"Whereas Ontario needs a system of public power that will ensure rate stability, environmental protection and secure access to power;

"Therefore, be it resolved that the undersigned"—literally tens of thousands—"call on the government to scrap electricity deregulation and privatization and bring in a system of accountable public power. The first priority for such a public power system must be incentives for energy conservation and green power. Electricity rates and major energy projects must be subject to full public hearings and binding rulings by a public regulator instead of leaving energy rates to private profit."

I sign that petition.

### CONSTITUTIONAL DOCUMENTS

**Mr Ted Chudleigh (Halton):** I have a petition that deals with the Constitution of 1792 that was brought to the House of Assembly of Ontario. After a lot of whereases, the meat of the petition comes to:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Legislative Assembly of Ontario, sitting as a whole, cause the government of Ontario to promptly refer the following questions to the Court of Appeal for Ontario for its determination under section 8 of the Courts of Justice Act.

"Question 1. What are the valid ... provisions of the Constitution of Ontario of October 15, 1792, and of the Ontario Great Charter of 1897?

"Question 2. What are the requirements for revising and updating the Constitution of Ontario of October 15, 1792, and the Ontario Great Charter of 1897?"

It's signed by a number of my constituents, and I affix my name to the bottom of it.

### HYDRO ONE

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** "To the Ontario Legislature:

"Whereas the Conservative government plans to sell off Hydro One and Ontario's electricity transmission grid—the central nervous system of Ontario's economy;

"Whereas the government never campaigned on selling off this vital \$5-billion public asset and never consulted the people of Ontario on this plan;

"Whereas Ontario families want affordable, reliable electricity—they know that the sale of the grid that carries electricity to their homes is a disaster for consumers;

"Whereas selling the grid will not benefit consumers—the only Ontarians who will benefit are Bay Street brokers and Hydro One executives;

"Whereas selling Hydro One and the grid is like selling every 400-series highway in the province to private interests—selling the grid means the public sector will no longer be responsible for its security and protection;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature as follows:

"To demand the Conservative government halt the sale of Hydro One until the government has a clear mandate from the owners of Hydro One—the people of Ontario."

I'm in complete agreement with this petition, and I affix my signature to it.

### COMPETITIVE ELECTRICITY MARKET

**Mr Michael Prue (Beaches-East York):** I have petitions here signed by approximately 70 people. It reads as follows:

"To the Ontario Legislature:

"Whereas the Harris government's plan to privatize and deregulate Ontario's electricity system will lead to higher rates because private owners will sell more power to US customers whose rates are typically 50% higher than Ontario's; and

"Whereas selling coal plants like Nanticoke to the private sector will lead to more pollution because the private owners will run the plants at full capacity to earn a profit; and

"Whereas electricity deregulation in California has led to sky-high rates and blackouts; and

"Whereas Ontario needs a system of public power that will ensure rate stability, environmental protection and secure access to power;

"Therefore, be it resolved that the undersigned call on the government to scrap electricity deregulation and privatization and bring in a system of accountable public power. The first priority for such a public power system must be incentives for energy conservation and green power. Electricity rates and major energy projects must be subject to full public hearings and binding rulings by a

public regulator instead of leaving energy rates to private profit.”

I agree with that and will affix my signature thereto.

### DOCTOR SHORTAGE

**Mr Marcel Beaubien (Lambton-Kent-Middlesex):** I have a petition to the Legislative Assembly of Ontario. It reads as follows:

“Whereas Sarnia-Point Edward and area is experiencing a crisis in a shortage of health care professionals, specifically doctors; and

“Whereas community health care centres are a proven primary health care system that can attract professionals and deliver primary health care in a cost-effective, efficient manner;

“Be it resolved that the Legislative Assembly of Ontario approve a community health care centre for Sarnia-Point Edward and area as soon as possible.”

I'll sign my name to this petition.

1530

### AMBULANCE SERVICES

**Mr James J. Bradley (St Catharines):** My petition reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas the Ontario Conservative government hastily amalgamated Niagara's ambulance dispatch service into the Hamilton's Central Ambulance Communication Centre;

“Whereas an independent review of Hamilton's Central Ambulance Communication Centre found several major shortcomings, including inexperienced dispatchers, high call volume and out-of-date equipment, hindering the dispatch of ambulances in Niagara and in other parts of the province;

“Whereas poor training of Central Ambulance Communication Centre dispatchers by the Ministry of Health and Long-Term Care has led to improper emergency coding, resource misallocation and waste and increased wait times for those requiring ambulance services;

“Whereas the Central Ambulance Communication Centre dispatchers are handling 1,300 more calls a year than recommended by the Ministry of Health and Long-Term Care;

“Whereas these shortcomings in ambulance service restructuring are putting lives at risk in Niagara, Hamilton and throughout the province;

“Whereas the Ministry of Health and Long-Term Care has been in possession of the independent review since October 31, 2001, which provides recommendations to greatly improve ambulance dispatch services in Niagara and Hamilton;

“We, the undersigned, petition the Legislative Assembly of Ontario to immediately act upon recommendations presented in the independent review of the Central Ambulance Communication Centre and eliminate the

grievous imperfections which are placing our citizens at risk.”

I affix my signature. I am in full agreement.

### COMPETITIVE ELECTRICITY MARKET

**Mr Michael Prue (Beaches-East York):** I have another petition that reads as follows:

“To the Ontario Legislature:

“Whereas the Harris government's plan to privatize and deregulate Ontario's electricity system will lead to higher rates because private owners will sell more power to US customers whose rates are typically 50% higher than Ontario's; and

“Whereas selling coal plants like Nanticoke to the private sector will lead to more pollution because the private owners will run the plants at full capacity to earn a profit; and

“Whereas electricity deregulation in California has led to sky-high rates and blackouts; and

“Whereas Ontario needs a system of public power that will ensure rate stability, environmental protection and secure access to power;

“Therefore, be it resolved that the undersigned call on the government to scrap electricity deregulation and privatization and bring in a system of accountable public power. The first priority for such a public power system must be incentives for energy conservation and green power. Electricity rates and major energy projects must be subject to full public hearings and binding rulings by a public regulator instead of leaving energy rates to private profit.”

There are approximately 219 signatures for this petition. I affix my signature to it.

### POST-SECONDARY EDUCATION

**Mr John Hastings (Etobicoke North):** I have a petition to the Legislative Assembly of Ontario dealing with the Saving for Our Children's Future Act, 2001. It reads as follows:

“Whereas post-secondary education is very important in the development of young adults, to the betterment of society and the economic future of our province; and

“Whereas the continuing challenge and cost of education facing families in Ontario in the 21st century is ever increasing; and

“Whereas the cost of post-secondary education in Ontario requires a combination of government and individual financial support; and

“Whereas the tax credit proposed in Bill 4, Saving for Our Children's Future, 2001, will effectively and beneficially encourage families to save for their children's education; and

“Whereas the large majority of children and families with a registered education savings plan do not apply for OSAP, thereby freeing millions of dollars for other OSAP students;



"Therefore we, the undersigned, hereby respectfully petition the Legislature of Ontario to act quickly to pass Bill 4, Saving for Our Children's Future, 2001, and thereby extend the opportunity of post-secondary education to thousands of" young people in Ontario.

This is signed by over 2,000 people and I affix my signature.

#### HYDRO ONE

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I have a petition for the Legislative Assembly of Ontario:

"Whereas Ernie Eves is planning to ram through the sale of Hydro One without a mandate from the people of Ontario; and

"Whereas an Ontario Court judge has ruled that the sale of Hydro One is illegal; and

"Whereas Ernie Eves's Bay Street friends will benefit from the sale of Hydro One at the expense of Ontario's working families;

"We, the undersigned, petition the Legislative Assembly of Ontario to encourage Ernie Eves to take Dalton McGuinty's advice to put working families ahead of his Bay Street friends by immediately stopping the sale of Hydro One."

I affix my signature.

#### HEALTH CARE

**Mr Joseph Spina (Brampton Centre):** I have a petition here to the Legislative Assembly of Ontario. The undersigned wish to express their concern about the current debate on health care:

"... medicare has saved a generation of Canadians from fear of financial ruin due to illness; ...

"... we, the undersigned, petition the Legislative Assembly of Ontario to work co-operatively to uphold the five principles of the Canada Health Act which are in need of reinforcement and new commitment. These principles are: accessible, universally available, publicly administered, portable and comprehensive."

These petitioners "further ask that Canadians be provided with a properly funded and sustainable not-for-profit health system ... and ask that Canada take back its role as a leader in national health care, insured by a public health system fully supported by the federal and provincial governments."

I'm happy to submit this to the Chair.

#### SPECIAL EDUCATION FUNDING

**Mr Ernie Parsons (Prince Edward-Hastings):** To the Legislative Assembly of Ontario:

"Whereas we, the people of Windsor-Essex county, continually see the number of students requiring special education increase; and

"Whereas we support the government's efforts to provide school boards with proportional special education funding based upon need;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To provide special education funding reflecting real needs and ministry approved claims without delay based on immediate current levels of such needs identified within Windsor and Essex county, commencing September 2002 and henceforth."

I might add that though this comes from Windsor-Essex, this applies to every parent of every school board in Ontario and I am pleased to sign this.

#### COMPETITIVE ELECTRICITY MARKET

**Mr Gilles Bisson (Timmins-James Bay):** Again, I have literally thousands of signatures on petitions here that read as follows. They say, "Stop the dirty deal." To the Ontario Legislature:

"Whereas the Harris government's plan to privatize"—that should have been "Eves government," I guess—"and deregulate Ontario's electricity system will lead to higher rates because private owners will sell more power to US customers whose rates are typically 50% higher than Ontario's; and

"Whereas selling coal plants like Nanticoke to the private sector will lead to more pollution because the private owners will run the plants at full capacity to earn a profit; and

"Whereas electricity deregulation in California has led to sky-high rates and blackouts; and

"Whereas Ontario needs a system of public power that will ensure rate stability, environmental protection and secure access to power;

"Therefore, be it resolved that the undersigned call on the government to scrap electricity deregulation and privatization and bring in a system of accountable public power. The first priority for such a public power system must be incentives for energy conservation and green power. Electricity rates and major energy projects must be subject to full public hearings and binding rulings by a public regulator instead of leaving energy rates to private profit."

I sign that petition.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: To the government whip and to yourself, a number of members still have petitions left to present. Normally we only have 15 minutes, but seeing that this is the last day of the session, would it be in order to possibly get unanimous consent to add a few more minutes to allow those petitions to be presented?

**The Deputy Speaker (Mr David Christopherson):** Let me test the House on unanimous consent for an extension on the presentation of petitions for up to five minutes.

All those in favour? Any opposed? Hearing none, that is ordered. Petitions may continue for another five minutes.

1540

MARIA K.

**Mr Monte Kwinter (York Centre):** I have a petition to the Legislative Assembly of Ontario.

"Maria K. is a 77-year-old Holocaust survivor who is in a Toronto hospital. She has Parkinson's symptoms caused from bad medicine and she has late-onset asthma, nothing that would end her life now as long as she receives care.

"Maria K. is a ward of the province of Ontario, the public guardian and trustee. For the past year, Maria K. has not been permitted to leave her room. She's sedated much of the time. Friends and neighbours are not permitted to visit, all due to a dispute with her daughter, who has demanded better care for her mother. At one point during the past year she received no food for six weeks.

"Last year, Maria K.'s daughter tried to save some hospital beds. The hospital responded by vilifying her daughter and taking away the daughter's right to make decisions for her mother. Maria K. is currently able to see her daughter only two hours per week under supervision, and her daughter has no say in her mother's care.

"This is bad for Maria K. because the care plan does not respect her previously stated wishes and because, as a Holocaust survivor, Maria K. has special social and emotional needs that are not being met.

"Maria K.'s stated wishes previous to her illness were that she wanted to live as long as possible. Maria K. went to the hospital because her daughter was working abroad. Her daughter is permanently living at home now. Her community doctor says that Maria K. needs tender, loving care. She's not getting that now. The friends of Maria K. asked for an end to the year-long dispute and isolation of Maria K., to move her out of the hospital as soon as possible and to restore her daughter's ability to make substitute decisions for her. As a Holocaust survivor, Maria K. has experienced enough isolation. It is time to honour Maria's life."

This petition is signed by a number of her friends.

#### COMPETITIVE ELECTRICITY MARKET

**Mr Gilles Bisson (Timmins-James Bay):** I have here another couple of thousand signatures on a different petition on privatization. It reads as follows:

"To the Provincial Legislature of Ontario:

"Whereas the Conservatives' plan to privatize Ontario's electricity system will lead to higher rates for consumers, industry, schools and hospitals;

"Whereas power privatization will lead to unsafe nuclear plants, increased air pollution and dangerous drinking water;

"Whereas Ontario needs a system of public power that will ensure rate stability, environmental protection and secure access to power;

"Therefore I, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Stop the privatization of Ontario power. Provide incentives for energy conservation and green power. Call for accountable public power, with all proposed rate increases or new power plants to be approved by an arm's-length regulator after full public hearings."

I've signed these petitions from various parts of the province.

#### FARM IMPLEMENT SECTOR

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I have a petition in support of Bill 76. This is the bill to foster competition and innovation in the farm implement sector.

"Whereas some large farm equipment manufacturers have been requiring farm implement dealers to sell only products exclusive to that manufacturer; and

"Whereas these security policies and exclusivity clauses create an unfair marketing advantage for large manufacturers; and

"Whereas these policies hinder competition and farmer choice; and

"Whereas these policies discourage innovation; and

"Whereas these policies threaten the economic survival of dealers, short line manufacturers and the rural communities in which they are located;

"We, the undersigned, respectfully petition the Parliament of Ontario as follows:

"To eliminate exclusionary policies and restore fairness and competition to the farm implement marketplace by supporting Bill 76."

I'm in favour of this piece of legislation and hereby affix my signature.

#### SERVICES DE SANTÉ POUR ENFANTS

##### CHILDREN'S HEALTH SERVICES

**M<sup>me</sup> Claudette Boyer (Ottawa-Vanier):** « Attendu que le gouvernement planifie la fermeture du service de chirurgie cardiaque à l'hôpital pour enfants de l'est de l'Ontario ;

"Whereas the government plans to centralize all cardiac services for children in Ontario;

« Attendu que la chirurgie cardiaque à l'hôpital pour enfants est un service essentiel pour les enfants de l'est de l'Ontario et pour les enfants francophones de toute la province ;

"Whereas the lives of children may be at risk if forced to travel to Toronto for cardiac care;

"We, the undersigned, petition the Ontario Legislature to demand that the government halt immediately its decision to close cardiac surgery services at the Children's Hospital of Eastern Ontario in Ottawa."

J'y appose ma signature.



## EDUCATION FUNDING

**Mr David Caplan (Don Valley East):** I have a petition to the Legislative Assembly of Ontario:

"Whereas Ernie Eves and the Progressive Conservative government promised in 1995 not to cut classroom spending, but has already cut at least \$2 billion from our schools and is now closing many classrooms entirely; and

"Whereas international language weekend classes are a much-needed part of learning for many students in our area; and

"Whereas the Education Act, specifically regulation 285(5), mandates provision of these programs where demand exists; and

"Whereas the Conservative government and Ernie Eves funding formula is forcing the Toronto District School Board to cancel these Saturday classes for groups who want to participate in them;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to instruct the Minister of Education to restore meaningful and flexible funding to the Toronto District School Board, to ensure they are able to continue to accommodate these Saturday international languages classes."

I have affixed my signature to this petition.

## VISITORS

**Hon Tina R. Molinari (Associate Minister of Municipal Affairs and Housing):** On a point of order, Mr Speaker: I have some very important guests here today I'd like to introduce. They are students who have won the ABC Aventis Biotechnology competition and they are from St Elizabeth, which is in my beautiful riding of Thornhill: first place, intermediate division, Kory Benvenuto-Whitham, Rohit Barreto, Priscilla Mendonca; fifth place, senior division, Steven Chuang. With them are the supervising teacher, Mr Sydney Smith, and Aventis biotech scientific coordinator Dr William Mak. I'd like you to please welcome them.

**Mr Monte Kwinter (York Centre):** On a point of order, Mr Speaker: Today is a great day in the history of the Ontario College of Art and Design. When Bill 109 is passed, it will give degree-granting status to that institution. As a graduate of that institution, as a former vice-president of that institution, and having a daughter who graduated from that institution, I am delighted to be able to participate. I also want to take this opportunity to introduce in the members' gallery the president of the Ontario College of Art and Design, Ron Shuebrook, the executive vice-president, Peter Caldwell, and Catherine Redmond.

## ORDERS OF THE DAY

HYDRO ONE INC. DIRECTORS  
AND OFFICERS ACT, 2002LOI DE 2002 SUR LES ADMINISTRATEURS  
ET LES DIRIGEANTS DE HYDRO ONE INC.

Mr Stockwell moved third reading of the following bill:

Bill 80, An Act respecting directors and officers of Hydro One Inc and its subsidiaries / Projet de loi 80, Loi concernant les administrateurs et les dirigeants de Hydro One Inc. et de ses filiales.

**The Deputy Speaker (Mr David Christopherson):** Pursuant to the order of the House dated June 19, 2002, I am now required to put the question.

Mr Stockwell has moved third reading of Bill 80. Is it the pleasure of the House that the motion carry?

All those in favour of the motion, please indicate.

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1548 to 1553.*

**The Deputy Speaker:** Those in favour of the bill will please rise one at a time and be recognized by the Clerk.

## Ayes

Agostino, Dominic	Eves, Ernie	Ouellette, Jerry J.
Arnott, Ted	Galt, Doug	Parsons, Emie
Baird, John R.	Gilchrist, Steve	Peters, Steve
Barrett, Toby	Gill, Raminder	Phillips, Gerry
Bartolucci, Rick	Gravelle, Michael	Pupatello, Sandra
Beaubien, Marcel	Guzzo, Garry J.	Ramsay, David
Bountrogianni, Marie	Hardeman, Ernie	Runciman, Robert W.
Boyer, Claudette	Hastings, John	Ruprecht, Tony
Bradley, James J.	Hodgson, Chris	Sampson, Rob
Bryant, Michael	Jackson, Cameron	Sergio, Mario
Caplan, David	Kennedy, Gerard	Smitherman, George
Chudleigh, Ted	Klees, Frank	Sorbara, Greg
Clark, Brad	Kwinter, Monte	Spina, Joseph
Clement, Tony	Lalonde, Jean-Marc	Sterling, Norman W.
Coburn, Brian	Marland, Margaret	Stewart, R. Gary
Colle, Mike	Martiniuk, Gerry	Stockwell, Chris
Conway, Sean G.	Mazzilli, Frank	Tascona, Joseph N.
Cunningham, Dianne	McDonald, AL	Tsubouchi, David H.
Curling, Alvin	McGuinity, Dalton	Tumbull, David
Di Cocco, Caroline	Miller, Norm	Wettlaufer, Wayne
Dombrowsky, Leona	Molinari, Tina R.	Wilson, Jim
Duncan, Dwight	Munro, Julia	Witmer, Elizabeth
Dunlop, Garfield	Murdoch, Bill	Wood, Bob
Ecker, Janet	Mushinski, Marilyn	Young, David
Elliott, Brenda	O'Toole, John	

**The Deputy Speaker:** Those opposed to the motion will please rise one at a time and be recognized by the Clerk.

## Nays

Bisson, Gilles	Marchese, Rosario	Prue, Michael
Hampton, Howard	Martel, Shelley	
Kormos, Peter	Martin, Tony	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 74; the nays are 7.

**The Deputy Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

KEEPING THE PROMISE  
FOR GROWTH AND PROSPERITY ACT  
(2002 BUDGET), 2002

LOI DE 2002 SUR LE RESPECT  
DE L'ENGAGEMENT D'ASSURER  
LA CROISSANCE ET LA PROSPÉRITÉ  
(BUDGET DE 2002)

Resuming the debate adjourned on June 25, 2002, on the motion for second reading of Bill 109, An Act to implement the measures contained in the 2002 Ontario Budget and to implement other initiatives of the Government of Ontario / Projet de loi 109, Loi mettant en oeuvre certaines mesures énoncées dans le budget de l'Ontario de 2002 ainsi que d'autres initiatives du gouvernement de l'Ontario.

**The Deputy Speaker (Mr David Christopherson):** Pursuant to the order of the House dated June 27, 2002, I am now required to put the question.

Mr Chudleigh has moved second reading of Bill 109, An Act to implement the measures contained in the 2002 Ontario budget and to implement other initiatives of the Government of Ontario.

Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1557 to 1602.*

*Interjections.*

**The Deputy Speaker:** Order, members for Oak Ridges and Hamilton East. It's the last day. We could wait a long time.

Those members in favour of the motion will please rise one at a time and be recognized by the Clerk.

**Ayes**

Arnott, Ted	Hardeman, Ernie	Ouellette, Jerry J.
Baird, John R.	Hastings, John	Runciman, Robert W.
Barrett, Toby	Hodgson, Chris	Sampson, Rob
Beaubien, Marcel	Hudak, Tim	Spina, Joseph
Chudleigh, Ted	Jackson, Cameron	Sterling, Norman W.
Clark, Brad	Klees, Frank	Stewart, R. Gary
Clement, Tony	Marland, Margaret	Stockwell, Chris
Coburn, Brian	Martiniuk, Gerry	Tascona, Joseph N.
Cunningham, Dianne	Mazzilli, Frank	Tsubouchi, David H.
Dunlop, Garfield	McDonald, AL	Turnbull, David
Ecker, Janet	Miller, Norm	Wettlaufer, Wayne
Elliott, Brenda	Molinari, Tina R.	Wilson, Jim
Eves, Ernie	Munro, Julia	Witmer, Elizabeth
Galt, Doug	Murdoch, Bill	Wood, Bob
Gilchrist, Steve	Mushinski, Marilyn	Young, David
Gill, Raminder	Newman, Dan	
Guzzo, Gary J.	O'Toole, John	

*Interjections.*

**The Deputy Speaker:** Order. We're in the middle of a vote. This House will come to order.

All those members opposed to the motion will please rise one at a time and be recognized by the Clerk.

**Nays**

Agostino, Dominic	Dombrowsky, Leona	Parsons, Ernie
Bartolucci, Rick	Duncan, Dwight	Peters, Steve
Bisson, Gilles	Gravelle, Michael	Phillips, Gerry
Bountrogianni, Marie	Hampton, Howard	Prue, Michael
Boyer, Claudette	Kennedy, Gerard	Pupatello, Sandra
Bradley, James J.	Kormos, Peter	Ramsay, David
Bryant, Michael	Kwinter, Monte	Ruprecht, Tony
Caplan, David	Lalonde, Jean-Marc	Sergio, Mario
Colle, Mike	Marchese, Rosario	Smitherman, George
Conway, Sean G.	Martel, Shelley	Sorbara, Greg
Curling, Alvin	Martin, Tony	
Di Cocco, Caroline	McGuinty, Dalton	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 49; the nays are 34.

**The Deputy Speaker:** I declare the motion carried.

Pursuant to the same order of the House, this bill is ordered referred for third reading.

KEEPING THE PROMISE  
FOR GROWTH AND PROSPERITY ACT  
(2002 BUDGET), 2002

LOI DE 2002 SUR LE RESPECT  
DE L'ENGAGEMENT D'ASSURER  
LA CROISSANCE ET LA PROSPÉRITÉ  
(BUDGET DE 2002)

Mrs Ecker moved third reading of the following bill:

Bill 109, An Act to implement the measures contained in the 2002 Ontario Budget and to implement other initiatives of the Government of Ontario / Projet de loi 109, Loi mettant en oeuvre certaines mesures énoncées dans le budget de l'Ontario de 2002 ainsi que d'autres initiatives du gouvernement de l'Ontario.

**The Deputy Speaker (Mr David Christopherson):** Pursuant to the order of the House, I am now required to put the question.

Is it the pleasure of the House that the motion carry?

All those in favour please say "aye."

All those opposed please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1607 to 1612.*

**The Deputy Speaker:** All members in favour of the motion will please rise one at a time and be recognized by the Clerk.

**Ayes**

Arnott, Ted	Hardeman, Ernie	Ouellette, Jerry J.
Baird, John R.	Hastings, John	Runciman, Robert W.
Barrett, Toby	Hodgson, Chris	Sampson, Rob
Beaubien, Marcel	Hudak, Tim	Spina, Joseph
Chudleigh, Ted	Jackson, Cameron	Sterling, Norman W.
Clark, Brad	Klees, Frank	Stewart, R. Gary
Clement, Tony	Marland, Margaret	Stockwell, Chris
Coburn, Brian	Martiniuk, Gerry	Tascona, Joseph N.



Cunningham, Dianne  
Dunlop, Garfield  
Ecker, Janet  
Elliott, Brenda  
Eves, Ernie  
Galt, Doug  
Gilchrist, Steve  
Gill, Raminder  
Guzzo, Garry J.

Mazzilli, Frank  
McDonald, AL  
Miller, Norm  
Molinari, Tina R.  
Munro, Julia  
Murdoch, Bill  
Mushinski, Marilyn  
Newman, Dan  
O'Toole, John

Tsubouchi, David H.  
Turnbull, David  
Wettlaufer, Wayne  
Wilson, Jim  
Witmer, Elizabeth  
Wood, Bob  
Young, David

**The Deputy Speaker:** Those members opposed to the motion will please rise one at a time and be recognized by the Clerk.

#### Nays

Agostino, Dominic  
Bartolucci, Rick  
Bisson, Gilles  
Bountrogiani, Marie  
Boyer, Claudette  
Bryant, Michael  
Caplan, David  
Colle, Mike  
Conway, Sean G.  
Curling, Alvin  
Di Cocco, Caroline

Dombrowsky, Leona  
Duncan, Dwight  
Gravelle, Michael  
Hampton, Howard  
Kennedy, Gerard  
Kormos, Peter  
Kwinter, Monte  
Lalonde, Jean-Marc  
Marchese, Rosario  
Martel, Shelley  
Martin, Tony

McGuinty, Dalton  
Parsons, Ernie  
Peters, Steve  
Phillips, Gerry  
Prue, Michael  
Pupatello, Sandra  
Ramsay, David  
Ruprecht, Tony  
Sergio, Mario  
Smitherman, George  
Sorbara, Greg

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 49; the nays are 33.

**The Deputy Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

**Mr Dalton McGuinty (Leader of the Opposition):** On a point of order, Mr Speaker: Given the occasion, I seek unanimous consent for a moment of silence commemorating the passing of the Taxpayer Protection Act.

**The Deputy Speaker:** Is there unanimous consent? I heard a no.

Order. Let's take a second. There seem to be quite a few people who are going to leave the House; if you'd do so quickly and quietly.

#### RELIABLE ENERGY AND CONSUMER PROTECTION ACT, 2002

#### LOI DE 2002 SUR LA FIABILITÉ DE L'ÉNERGIE ET LA PROTECTION DES CONSOMMATEURS

Mr Stockwell moved third reading of the following bill:

Bill 58, An Act to amend certain statutes in relation to the energy sector / Projet de loi 58, Loi modifiant certaines lois en ce qui concerne le secteur de l'énergie.

**The Deputy Speaker (Mr David Christopherson):** The government House leader to speak to the bill.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I'll be speaking as the Minister of Energy, obviously, since it is G58, which is an energy bill.

We've agreed to an hour split. I think it's part of the time allocation motion. It's 20 minutes per caucus, just to alert the other caucuses. I'm not sharing my time on this side, so you've got 20 minutes each for the hour debate.

This legislation has had much talk, much debate, much discussion in this House. I think it's been helpful, it's been interesting, it's been a little inaccurate at times, but it has been good debate that I think was necessitated by a decision by Justice Gans. Although I didn't agree with Justice Gans's decision, I've said many times it may have been a blessing in disguise, because it allowed us the opportunity of providing more public input into the decision on Hydro One, which I think was needed at that point in time. It allowed the opportunity for the Liberals to change their minds from December 12, when they were fully in favour of privatizing the transmission line; and today, of course, you know Mr McGuinty's position is that he thought too quickly that day. When he thinks too quickly, he makes mistakes. So he has learned a lesson: he shouldn't think quickly, he should think slowly.

#### Interjection.

**Hon Mr Stockwell:** The member for Hamilton East, I believe, is suggesting that some people shouldn't think at all, and I agree with him. I think he sometimes over-thinks issues. No, I just made that up.

I think it's going to ensure competitive safety and a competitive supply of energy. Bill 58 ensures that there's the necessary capital to rebuild and modernize electricity transmission and distribution, bring private sector discipline to Hydro One and eliminate and prevent recurrences of the \$38 billion in debt and other liabilities amassed by the old Ontario Hydro. Ultimately, this piece of legislation is designed to protect consumers. Ultimately, the consumers are at the bottom of every one of these debates: how do we protect consumers and ratepayers in the province of Ontario?

Although there were many machinations and much debate from the other side, there was very little debate about the fact that Ontario Hydro was a badly run operation. It was an operation that was seriously in debt and had very little in the way of assets; \$38 billion in debt and \$17 billion in assets. You know, it's one of the few collective times all parties can take credit for the mess that Hydro was in, because every party at one time or another had an opportunity to fix the mess and they didn't. Ultimately, what we ended up doing was not what Sir Adam Beck wanted us to do, which was to provide power at cost. We were providing power at below cost.

1620

I talked to many Ontarians around the province, and they said their concern is that they have bought and paid for Hydro, and their concern about privatization was that they had bought and paid for it. The reality is that they did buy Hydro; they just forgot to pay for it. By not paying for it, they ran up huge debts, to the point that 35 cents of every dollar you spend on a hydro bill goes to service debt. It doesn't go to build new lines, it doesn't go to operate better, it doesn't go to return or reduce the cost of hydro; it goes to service debt that we've acquired over these many years.

In public consultations held in April and May and in legislative committee hearings held in June, our govern-

ment consulted and listened to the people of Ontario. After listening to their views, our government has made it clear that we will hold on to at least 51% of Hydro One. We are still considering how best to bring private sector discipline to Hydro One. The net proceeds—that is, the proceeds less the cost of the transaction—from any sale of the shares will go toward paying down the old Ontario Hydro debt of \$38 billion.

**The Deputy Speaker:** I'm going to ask members again to please keep the noise level down. There aren't that many members in the House. There's no reason for that much volume. Please give the minister the respect he deserves.

**Hon Mr Stockwell:** Both the consultations held in April and May 2002 and the legislative committee hearings held in June provided thoughtful suggestions on how to achieve needed investment in transmission infrastructure. Should the proposed legislation be passed, the Ontario government would take ownership of the transmission corridor lands previously owned by Hydro One. This is the first road we crossed. There was some concern from municipalities, and I live in one of those municipalities that expressed concern—Toronto. They want to ensure that the lands the power lies beneath maintain public ownership, and we agreed to do that in this legislation. So the lands will still be owned by the government. The transmission wires can be privatized up to 49%, but the lands will still be controlled by public ownership and the government. It's important we do that, because in Toronto and other cities there are uses. Soccer fields and garden allotments are just two examples of how they use hydro fields around Ontario.

The proposed legislation will offer even greater protection to consumers through a new energy consumers' bill of rights, which would include government authority to prescribe the content and presentation of contracts; a prohibition on unfair practices; a prohibition against false advertising; extended 30-day right to cancel, requiring reaffirmation by the consumer for any contract between days 15 and 30; a requirement that consumers would have to reaffirm future contract renewals should they wish to do so, and that's basically the negative optioning argument; new owners for the Ontario Energy Board to enforce these additional requirements.

The proposed legislation would offer greater protection of the environment by strengthening the rules governing water power generators. Environmental information tracking and reporting would allow consumers to make informed choices about green energy.

That is, in a nutshell, the way the bill is supposed to work.

I want to talk briefly about why it's good to go this way with respect to privatizing OPG and looking for a market operator for Hydro One. There has been much talk by the opposition parties—and I want to try to not tease the bears too much today; I want to try to give a very concise answer to some of the concerns—about the fact that we operate coal-fired plants. I think the member for St Catharines and the member for Toronto-Danforth

made a lot of arguments about the coal-fired plants. I want to get it on the record right now, and very clearly in this calm moment, which I generally haven't had during question period. It will allow me to explain it maybe in a better way, in a more fulsome way, in a more relaxed way.

The coal-fired plants operate in Ontario and provide somewhere between 15% and 20% of our hydro needs on certain capacity days. Nobody really wants to see coal-fired plants operating. When coal-fired plants were brought to the forefront, there wasn't the knowledge then that we have today about how they are polluting the air. Many jurisdictions operate almost strictly on coal-fired plants. Ohio, for instance, operates almost strictly on coal-fired plants. In the northeastern United States, there are about 200 coal-fired plants; in Ontario, there are five. One is slated for conversion in 2007, so we'll have four. But you can see the magnitude of the coal-fired plant problem, with 200 coal-fired plants in the northeast and four or five in Ontario. They are one of the worst polluters. I don't deny they are one of the worst polluters. I know I get questions from the member for St Catharines and the member for Toronto-Danforth on a fairly regular basis asking, "Why don't you shut down the coal-fired plants?"

*Interjection.*

**Hon Mr Stockwell:** You know what, I say to the member for Hamilton East, it's not a bad idea. It is a good idea. I'm in full agreement with you. But you need to plan how you're going to go shutting these things down before you actually shut them down. The first reason is, if we did shut down the coal-fired plants, there would be blackouts in Ontario. Imagine blackouts in homes, in seniors' centres, in hospitals, where electricity is not just necessary, it's life-sustaining. There are a lot of people who live at their homes these days who need certain respirators and certain programs that hydro provides the operation for. If we had blackouts around Ontario, these people would die. It's just that simple. If hospitals didn't have power, people would die.

It may sound good to say, "Close the coal-fired plants," but the reality is, we can't. We can't close the coal-fired plants. So this government did something that I think was visionary, and it was something no government would do in the past. They privatized the generation side of power. They said, "OK, we've got to have a competitive market out there, and by creating a competitive market we'll get people into Ontario to build generators, build capacity and put power on the grid. By putting power on the grid, we will then have an oversupply, overcapacity."

At the time of having overcapacity then, governments have removed their shackles about the coal-fired plants. With overcapacity, we can now make a decision potentially in four or five years that these coal-fired plants are polluting the environment and maybe we should shut them down, without any fear that we'd have blackouts around the province.



I don't know why the members in the House were opposed to that. If they would admit—and I know they know it to be true, because I know they were in government, these same people. Mr Bradley was the environment minister when he was with the Liberals. I know the member for Toronto-Danforth may not have been the environment minister, but I know she understands the environment ministry when she was the member of the government with the NDP. They both know that they didn't close the coal-fired plants down. I don't blame them. I know why they couldn't close the coal-fired plants. I understand why they couldn't. What I do blame them for is, they didn't put a plan in place that would potentially one day close them down, and that's what this government has done.

It's an issue that I think has created a lot of energy and a lot of action and a lot of dissent, but when I end up explaining to them what the problem is by closing coal-fired plants and the plan we have to potentially one day see them phase themselves out, there seem to be a lot of eyes opened up and agreement and nodding that, "Well, OK, that seems to be the best approach to take," and that is the approach we did take.

By providing power and by providing competitive pricing for the grid and the spot market, we're getting people building wind power. We've got wind power plants. We've got a proposal for 400 wind power plants today, as we have. There's a proposal that they're going to build 400 in one spot. Bruce nuclear is building four or five this summer alone. There are companies out there in the north that are building wind power. Solar power is another one. If we can get Pickering up and Bruce A up for providing nuclear power—now, I know the NDP and the Liberals in previous lifetimes argued against nuclear power as being bad power. Well, the world's kind of changed a little bit because now they're starting to say it's green power because it doesn't pollute like coal-fired plants. But if we can get those plants up we're starting to create the supply we need in order to deal with the coal-fired plant problem.

The other problem we have with respect to coal-fired plants is, in our airshed in southern Ontario 50% of the pollution on the smog days comes from the United States. I'm not blaming the Americans. Well, I guess I am. I am blaming the Americans. I'm not apologizing. I'm not trying to skate around the issue. It still doesn't mean that we should ever have smog days in Toronto. But 50% of the smog comes from the Americans. About 7% comes from coal-fired plants, period.

I guess the difficulty we're going to have to face is that air knows no boundaries and airsheds know no boundaries. Air moves as it sees fit, and when 50% of the problem comes from the Americans we've got a problem not just internally but we've got a problem with the Americans. We've got 200 coal-fired plants in the Ohio-Pennsylvania-New York region that are spewing this stuff in the air and it's coming up to Ontario.

We've got to get some kind of federal initiative going with the provinces and the feds, and a good example of

that, I say to the members in the House, is when they did the Great Lakes work. The federal government met with the federal government of the United States and the state governments met with the provincial governments, and they developed a really good strategy to try and deal with the Great Lakes pollution. We need that kind of strategy when it comes to air, because we can't fight it on our own. We can't stop the 50% of pollutants that are crossing the border polluting our cities and towns. We can't do it on our own. We can try, but we can't. So we need an initiative started at the federal level that I'll tell you the provinces would kick into in a heartbeat to try to resolve this air issue.

1630

**Mr Michael Bryant (St Paul's):** On a point of order, Mr Speaker: Quorum.

**The Deputy Speaker:** Could the clerk please advise if there is a quorum?

**Clerk Assistant (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Deputy Speaker ordered the bells rung.*

**Clerk Assistant:** A quorum is present, Speaker.

*Interjections.*

**The Deputy Speaker:** Order. The minister may now continue.

**Hon Mr Stockwell:** I want to thank the member for St Paul's for providing me with a quorum. I know he did a—

**Mr Bryant:** I wanted more people to hear this.

**Hon Mr Stockwell:** I know you did, and I know he's working for me, not against me.

I also want to talk about the transmission side of things as well. The transmission side has been a much-discussed decision of Ontario Hydro.

Let me say this: I don't want to be an alarmist. I try not to get too out in front on these issues, but the real cost structure for hydro isn't in the hydro lines. It's not the grid that's going to drive the price of hydro, although it's made the most noise, although you've had more discussion, more groups and public hearings, about the privatization of the hydro grid.

For people who don't understand what the grid is, the grid is the big wires that travel through the province of Ontario. The small wires that take the power to your house are from the distribution side. They're run by your local municipality. The big grid is what Hydro One is.

All those people who generate power, that's the third arm. They're the generators. They generate power and put it on to the grid. Then they try to sell it to the end user and it's delivered by the distribution companies.

The price of power is really not as contingent on the hydro, the big grid, as it is on how much it costs to produce the power.

**Mr Gilles Bisson (Timmins-James Bay):** On a point of order, Speaker: The minister lost his quorum again. Can you check the quorum?

**The Deputy Speaker:** We'll check again for quorum.

**Clerk Assistant:** A quorum is not present, Speaker.

*The Deputy Speaker ordered the bells rung.*

**Clerk Assistant:** A quorum is present, Speaker.

**The Deputy Speaker:** The minister may continue.

**Hon Mr Stockwell:** I want to thank those who are coming in, including my friend Bob Wood from the London region who's very understanding and knowledgeable about the hydro issues, and other things.

**Hon John R. Baird (Associate Minister of Franco-phone Affairs):** What am I—chopped liver?

**Hon Mr Stockwell:** Yes. And my friend Chopped Liver. I'd like to also say—

**Hon Mr Baird:** What about Philip De Souza?

**Hon Mr Stockwell:** Philip De Souza. I know that Amanda's here, waiting to hear; Amanda Kusar. Of course, Peter Hardie's here, listening to all these words. All the good staff in my office: Maxine McGuigan's been working very hard on this file; and Sarah in my office; and Brandy, of course. Brandy's doing a wonderful job in the House leader's office. Many of those people who work very hard to—you may think, people out there, that we just show up and this stuff just trips off the tops of our heads, but it doesn't. There are hard-working people working behind the scenes who all do good works to make us all look so quick, intelligent and spot-on. "Spot-on" is a favourite phrase, I know, from the member for Hamilton West. Our short and likeable man, Mr Floyd Laughren, was Mr Spot-On in this House for five years. The trouble was, he just couldn't nail the spot-on number.

Do you know what? As I explained this around the province, with the help of those people that I mentioned earlier—Brandy, we spoke about—people seem to get to understand that it isn't quite as huge a deal about the Hydro One transmission side of things as it is about the generation side.

The generation side is the driving price of hydro. When you can generate power, most of the cost of the power is not the cost of what it takes to deliver it to your home; it's the cost it takes to generate the power. I will tell you this: since we opened the market on May 1, we have seen a reduction in power rates of some 25% to 30%, some days more. Only one day in the last 60 has the price of power exceeded what it was before we opened the market on May 1.

Privatization works. Deregulation worked on the power side. Don't confuse deregulation on the generation side with the transmission side. We have deregulation on the power side because it's a competitive market. There are lots of people who bid power, lots of people who produce power and lots of people who put it on the grid. Competition is good; I believe in competition. I know my friends in the NDP and most of my friends in the Liberal Party don't believe in it the way I do. We have a different point of view. But I believe in competition. Competition is the best way to create good, affordable hydro. It also makes it affordable because you're not running up public debt. That's what I believe in. I believe in the competition side.

But on the hydro side, the grid side, that isn't open competition. That wasn't deregulated; it was regulated. The Ontario Energy Board regulates how much money

Hydro One can make. They can only make a 9.88% return on investment. There can be no profit-taking. I appreciate the fact they try to paint a different picture, but there can be no profit-taking on Hydro One.

I know Mr Kormos understands that. The difficulty is that he chooses not to understand. He chooses to ignore the facts and regurgitate what he chooses to regurgitate, knowing full well it's wrong. I saw him downstairs in the committee hearings with Mr Murdoch's bill making the suggestion that I was in fact trying to change this bill and rob him of the opportunity to pass it in this House. The whole truth of the matter is that he was a wolf in sheep's clothing. He's the member who is opposing Mr Murdoch's getting his bill passed today. He's the one who won't give unanimous consent.

But he doesn't like not to be liked, so he goes around and fabricates to some degree and works around these issues and tries to suggest to people that it's really someone else who's working against him. I thought it was interesting that day in the House, how he tried to negotiate with Mr Murdoch and convince him that I was opposing his Bill 74. The whole time it was him. He won't give unanimous consent to Bill 74; he won't give unanimous consent to Bill 3, the clean water act; he won't give unanimous consent to Bill 148. He won't give unanimous consent to anything.

I see him work his way around this caucus and this House, trying to convince all the members who sit in here that really the bad person is the government House leader. But I know my friends in this room and I know they're too smart for that. I know they've seen that before from Mr Kormos, how he tries to connive and work his way and wheedle through these seats and talk to members and convince them that he's really not the bad guy; the government House leader is. The whole time he's a sheep, but it's a wolf. There's a wolf underneath that sheep.

You see, he puts his arms around their desks and he cuddles up to them to convince them he's really their friend, when he's not. He's working the system. He'll hug them; he'll kiss them; he'll convince them. But he's working the system with subterfuge, trying to convince his own members as well as others that he's truly working for their best benefit when we know one thing, and one thing for certain. In all the years I've been here, I know this much about the member for Welland: the member for Welland never does anything unless he's got something in it for him. If he has to sacrifice his poor caucus members who want to get something accomplished for his own good will, his own benefit, his own charge, his own re-election plans, my friends, be forewarned: he will do that. He's not a very nice man when it comes to that stuff.

**Mr Bryant:** I'm going to be sharing my time, in all likelihood, with the member for Renfrew-Nipissing-Pembroke. We're here debating the third reading of the blank cheque bill. Let's just say this: boy, have you guys over there in the government messed up the electricity marketplace with what you've done—the botch-up, the



waffling—with electricity transmission. There has been a direct correlation between volatility in the market on the one hand and the botch-up with Hydro One on the other hand. This bill has been brought in to fix it, but this is truly a billion-dollar botch-up somehow orchestrated by the very government that put together the energy marketplace. I am, in the short amount of time I have, going to make reference to some of the supporters of the electricity competition marketplace who, during committee hearings, offered quite direct concerns and criticism of this government in terms of the effect of the Hydro One botch-up on the electricity generation marketplace.

1640

The energy minister spoke at some length about the distinction between the two and that, yes, there is not competition within the transmission side, which makes it all the more bizarre that Hydro One would have been engaging in quite a significant sponsorship of a number of good and not-so-great causes to try to raise their profile in circumstances in which they have no competition. It made no sense.

Let's not forget where this began. The Hydro One blank cheque began, I believe, on April 17. Mr Justice Gans handed down a decision that confirmed what Energy Minister Wilson had said previously, which was that there were never any plans to privatize and sell the transmission highway. Instead, the plan was to keep it public. There was no legislation to do that, yet the rule of law has taken a pretty serious beating under the Eves government. First they tried to sell off Hydro One without having the lawful authority, then I guess they tried to infringe the Taxpayer Protection Act, even though it violates the very bill that they created. Now, ironically, they're saying that the only time they're going to get tough, if you like, on observing legislation is when it comes to public education. They don't want the trustees to respond to the circumstances; only they are allowed to say that sometimes we need to admit that the government makes mistakes and then in the case of public education we need to listen to these trustees and move forward on improving public education.

But back to Hydro. This bill is a blank cheque bill which is being rushed through. This bill, of course, will permit the government to sell, do whatever it wants, with Hydro One. You don't find out what's going on here. We are subverting the parliamentary process. Instead of the executive coming here and asking the Legislature to approve what it wants to do, the executive is coming here and saying, "Give us a blank cheque and we'll do it in the middle of July or August or whenever."

We don't know what the government's going to do. We have no idea. Even if the government said what they were going to do, frankly, it would be difficult to trust that particular position, when you consider that this government said, "Absolutely, the IPO is the way to go. We must sell Hydro One." We heard it in December, in January, in February, in March and April, before the courts, and then after the decision came down we heard it

again from the Premier and we heard it again from the finance minister. Then the government filed its factum and the factum said, "Yes, we're going to sell Hydro One." Then a by-election came along and suddenly selling Hydro One was off the table. Right after the by-election it was back on the table.

We asked questions in this House and one day the status quo was on the table, one day off the table. Leaked out in the midst of scrums, we found out that an income trust, a strategic sale, a lease and other options were on the table, sometimes off the table. One moment it sounded like an income trust was the way the government was going to go, and then I think it was either the Premier or the energy minister contradicted the other. It's difficult to keep track of whether it's on the table or off the table. But now they're getting a bill, so that whenever they do make up their mind, they're going to be able to do it, but not with legislative approval; they're getting a blank cheque.

To make matters worse, not only is it defying the democratic tradition and really pulverizing this parliamentary process and tradition, but it's also being rammed through with a guillotine motion. Unbelievable, a guillotine motion on such an important issue that they're ducking. We're getting the guillotine motion, so we have very little time to debate this as a result.

The problem is, just as the Electricity Act had in it something that the government found out afterwards meant they couldn't sell it, who knows what's in this bill that the government may have to come back and fix again. As a matter of fact, I don't know if you know this, but when this bill came back through committee for clause-by-clause, the government admitted that there were over 40 mistakes in the bill—40. There were more than 40 amendments to this bill. And I have a feeling if we had another week to go there might have been another 10 or 20. Many of them were referred to as technical amendments. You know what that means. That means there was a mistake.

I know that the people who are working at the Ministry of Energy are working overtime. They must be dizzy. One day they come to work and they're told, "IPO." The day next day they're told, "No IPO." The next day they're told, "This is legal, we're going to appeal it." The next thing they're told, "We're going to bring in legislation and ram this through. But hurry up," they say, "because we've got to get this done by June." So they work as hard as they can and they get it forward. We get a guillotine motion on the committee hearings and we get a guillotine motion on debate. So if there are mistakes in this bill, they are obviously of the government's making, and this is what happens when you rush through legislation.

We found out through the privacy commissioner that there was a veil of secrecy being snuck into this bill that was going to inhibit both the officer of the Legislature, the privacy commissioner, and also all consumers from seeing what's going on. The government said, "We have to protect trade secrets." The protection is already there

to deal with trade secrets, in the existing freedom of information legislation. There are already those protections in there. So under the guise of a consumer protection bill, it's actually a consumer blindfold.

Lastly, I want to speak to this volatility. The government's electricity competition marketplace has been harmed by what has happened. We heard that from some of the very people who support this electricity marketplace. When I asked the chair of the Ontario Energy Association about his reference to disruptions during the committee hearings, he said, "I think the investment community and the energy marketplace and industry generally were very concerned about the disruptions caused by what had gone on with Hydro One." That means the volatility caused by Hydro One affects the energy marketplace, which in turn affects prices, and consumers pay the price for the government's incompetence.

But there was more. The president and CEO of the Toronto Board of Trade said, "Generally when you have a plan laid out, the smooth implementation of that plan from a business perspective is better because business likes certainty. When there's a plan laid out, they like to see that plan put forward." Makes sense. "Our comment would be," says the president and CEO of the board of trade, "that there has been a lot of recent volatility and the sooner we get that plan laid out and moving forward again, the better it will be for ensuring"—as one of the previous people mentioned—"that we have certainty back in the market so that the people who have invested take comfort and stay involved and engaged in that market."

The chair of the electricity task force of the board of trade echoed that comment and said, "The major concern is a lack of certainty.... the opening of the market went extremely smoothly, and that's a credit to all involved. That is the result of good planning. It is a pity," he said, "that that might be compromised due to lack of planning."

The concern here—it's not just about upsetting investors—is the impact it has on consumers. If you have volatility, then what you're going to have is an inhibition for others to come in, to bring in greener power, to bring in cleaner power. They're not going to come in and do that because there's volatility in the marketplace. To make matters worse, in the midst of trading, in the midst of that volatility, you're going to have prices go up. Prices will go up not just because of the vicissitudes of the market, but also because of that volatility. That means prices are going to go up even more than had the government handled the transmission file competently. They tried to ram it through at the same time as the market was opening, and there has been a tremendous amount of criticism of the government for that. Why would they do that when they know they would risk bringing in volatility?

Why would they do that? The answer is that in the midst of the market opening, in the midst of the throne speech, in the midst of the leadership race and in the

midst of the budget, the government thought it could sell Hydro One without having to come to this Legislature. It would be sort of under the radar screen. All of the efforts to decry the sale of Hydro One would be lost. They wouldn't be heard and there'd be no way to stop it. Of course that ended with the decision of Justice Gans. But the decision in December to move forward as quickly as the government did with the sale of Hydro One ended up ramming right up against the opening up of the marketplace in these early days, in many ways the most important days, the most volatile days.

#### 1650

Yes, we've gone through a shoulder season, but we don't know if in fact prices might have been lower. We're moving out of the shoulder season now, but we don't know if prices would have been even lower had the Hydro One file not been messing with the market.

At the time, the Premier had an option. He could have said, right there and then, "We have a new direction here. We've come so far"—remember, that was his slogan—"and I don't want this disruption to disrupt the opening of the marketplace. It's too important." Years of work, discussion and debate had gone into it. A select committee had discussed and debated the very idea and rendered reports, and we've spoken about that before. He could have said right there—it wouldn't have taken much imagination.

Everybody was writing columns saying, "This will be your Spadina Expressway. You can be just like Bill Davis and show you're different." The Premier could have said, "I'm different. The Hydro One sale is off the table." Look what happened. If the government wants to try and spin this as the Spadina expressway of the Eves government, then it's an expressway that really plowed itself right into Lake Ontario. It's kind of like, "We've come so far," says the government, "and now we have no idea where we're going."

What happened on this electricity file has been a journey of incompetence that started with rushed decisions back in December, a journey of incompetence that continued through the insistence, I think by a lot of people, probably privately and some publicly, that they ought not to proceed with electricity transmission reform without getting a mandate from the people. Then there are others in the industry and the marketplace who said, "I'm less concerned about the mandate than I am about what this is going to do to the marketplace itself." Consumer groups were saying, "We're concerned," not even so much about the mandate and not even so much about the market, although they were on behalf of consumers; they were concerned about the prices going up.

Then the journey of incompetence continued as we headed into waffles: waffles in the morning, waffles for lunch, waffles for dinner; IPO on the table, off the table; income trust; strategic sale. They didn't seem to know what they were doing.

Along goes the journey of incompetence until finally we get the news: "Oh, well, maybe we aren't going to give up control over a majority of Hydro One," and the



hue and cry from the other side when we didn't stand up and give them a standing ovation. The admission by this government that a majority of Hydro One must stay public was a vindication of all those citizens who said all along that Hydro One, the electricity transmission highway, must stay public. It was a great day for them. I can't say it was a great day for democracy because we've got a bill here which is an absolute abomination in democratic terms. Nonetheless, it was a vindication.

For those who were critical of those of us on this side of the House who represented all those citizens who were opposed to the sale of Hydro One, I guess we got some political criticism for not giving the government a standing ovation. Forget it. It was vindication of all those citizens who said, "The government's got it wrong." For us to turn around and pretend that the government had it right all along frankly would have been letting those people down.

Even more so, all of us here on this side of the House believe very strongly that we have to keep watch on this file, because it has changed so often. Yes, the government has admitted—it is an extraordinary concession for the government to say, month after month, that Hydro One ought to be privatized, and then to say, "Oops, in fact, most of Hydro One should not be privatized." It's an extraordinary concession. I'm glad they made it, it's better than the alternative, but why should we trust them now with the transmission highway when they so bungled it all along? Why, when the journey of incompetence has taken us finally to a decent pit stop—not the right pit stop but a decent pit stop—should we trust the government to drive this Hydro One expressway, as it were, without keeping watch?

Well, we're not. We are going to keep watch. We have to, and that's why Ontario Liberals brought in amendments to this bill, to protect secrecy, to deal with the concerns of the Information and Privacy Commissioner—shot down by the government. What a strange way to deal with an officer of the Legislature who has raised concerns: "Thanks for your letter. No, we're not going to hear from you. No, we're not going to extend committee hearings. We disagreed with you in 1998; we disagree with you again now. Go away." No formal response, no hearings, no invitation, nothing—treating that significant officer of the Legislature with great disdain.

Another one, the Provincial Auditor, was also dismissed when he said the failure to get Pickering A started on time—it's months late and over \$1.5 billion over budget—is going to affect consumers because it's going to drive prices up. The energy minister dismissed the Provincial Auditor. He said, "That's ridiculous. No, no. He's wrong. It's not." He said that when Pickering comes on line, it's going to drive prices down. That's interesting. How does that work? If, when Pickering comes on, prices go down, doesn't that mean that as long as Pickering isn't on line, prices are driven up? Doesn't that make sense? I think that makes sense to most Ontarians, but that's not Stockwell logic. Stockwell logic is that

Pickering A nuclear plant's failure to start up, while unacceptable, is going to have no effect on prices. Poppycock, I say. That just cannot be the case. If the Pickering A nuclear plant's presence will drive prices down, it means that its absence is driving prices up.

The bottom line is that this has been a billion-dollar botch-up, a journey of incompetence, volatility brought to the marketplace because of the way the Hydro One file was dealt with. The very people who are trying to make the energy marketplace work, supporting the marketplace against some vociferous political opposition, say that the way to make it work is to lay out a plan, stick with the plan and just run the business in a way that provides for a market that's attractive, which means more power made in Ontario. It means that hopefully we won't have to one day import power from outside Ontario; it means we can produce greener, cleaner power; and it means we can convert these coal-burning plants into cleaner-burning plants.

But all that becomes jeopardized because of what happened with this bill. Besides the volatility and besides the billion-dollar botch-up, what really offends me personally more than anything about this bill is that the government wants a blank cheque. The government wants us to trust this cabinet and this Premier with the future of Hydro One, a cabinet that in one month said that selling it was the only way to go, and then in the next month said it's not the way to go.

I think the people of Ontario have every right not to trust this government with the future of the electricity transmission highway. That is why, without any hesitation, I think most citizens of Ontario will see this botch-up for what it is, will see this legislation for what it is and will not support the efforts of the government to do what it's trying to do.

The Hydro One transmission engine must stay in public hands, and the effort to take it out and then put it back in and leave people in the dark has truly been one of its darkest hours. We will be voting against this bill.

1700

**Mr Howard Hampton (Kenora-Rainy River):** This is a debate concerning Bill 58, the government's legislation that would allow it to privatize all or part of Hydro One, Ontario's electricity transmission system.

I have a number of things I want to say about the unwise move to take what has been a natural monopoly and turn it into a private monopoly. I have a number of comments I want to make concerning how essential electricity is in the 21st-century economy, that electricity is perhaps more essential than ever before in terms of people being able to participate in society and in the economy, and therefore this ought to remain a public service that is available to people at cost and not become a profit-driven enterprise where some people may be excluded from accessing electricity simply because they do not have sufficient income.

With your indulgence, though, I am going to put those comments about Bill 58 aside for a moment to deal with a potential crisis I was just made aware of, which might

be precipitated by one of the clauses in this bill. I apologize to the Minister of Energy for not having had the opportunity to raise this with him directly, but I will do so as soon as I sit down.

This latest development has the potential to rock the financial community not only in Ontario but nationwide. I cannot underscore enough the significance of what I am about to bring before this House, and I undertake now that should the government House leader and Minister of Energy wish to move an amendment to his bill at third reading, he has my undertaking, on behalf of my entire caucus, that we will give the requisite unanimous consent for the minister to not only introduce the amendment but have it passed without debate.

Before we get to that point, however, I respectfully request that we follow the lead of jurisdictions such as the federal Parliament in Ottawa when dealing with matters of such extreme sensitivity. Speaker, there have been times in our national history when it has been absolutely essential that a Legislature meet in camera so that confidential information can be shared with members of this House in regard to exigencies that, if not addressed before they come into the public domain, will have an adverse impact on the public interest. The conclusion I have reached in conjunction with my colleagues is that the information we have just received represents such a circumstance.

As Marleau and Montpetit remind us, "Although not explicitly provided for in the standing orders, the House has the right and authority to conduct its proceedings in private." That is from page 350 of Marleau and Montpetit's House of Commons Procedure and Practice. In fact, our own committees, which are but delegated bodies of this House, do it on a regular basis. Just this morning, the public accounts committee moved to hold its meetings in camera, something it would not be able to do if the House as a whole did not enjoy that same ability.

As has been done before in our federal House, the British Parliament and the French Legislature, I am therefore going to move a motion that will allow this assembly to meet in a secret session solely for the purpose of disposing of Bill 58, An Act to amend certain statutes in relation to the energy sector. Once my motion is moved and that session is held, I will be able to explain in much more detail the reasons on account of which I think it is necessary.

Speaker, I move that the remainder of the sittings in this session shall be a secret session until the House shall then otherwise order, and that all strangers be ordered to withdraw during such secret session.

**The Deputy Speaker:** Thank you. I ask the Clerk to stop the clock, and I'll just take a moment to consult with the Table.

**Hon Mr Stockwell:** On a point of order, Mr Speaker: I am in your hands. I am prepared to argue the government's position on what he has done today, but I don't want to prolong it; obviously, we have an hour's debate.

So I'll leave it in your hands if you want to hear my concerns.

**The Deputy Speaker:** Thank you. At this point, the precedent in Ottawa is that only the government has the right to move such a motion. However, given the fact that this is coming from the leader of one of the parties, and I would take the same importance if it came from a House leader, I will afford very brief—I don't want to get too lost here, but this is obviously very important and I want to treat it that way. But I'll take just a moment before I enforce what I've just ruled to listen to the House leader from the third party, the government, the official opposition and then, if you can persuade me otherwise, I'll reconsider. But other than that, I'm going in the direction of ruling it out of order.

I would ask each of the caucus representatives to please keep your remarks brief because it is unlikely that this ruling will change, but I will afford you that opportunity. I'll look to the House leader of the third party first to see if he wishes the floor.

**Mr Peter Kormos (Niagara Centre):** Speaker, as you know, our standing orders do not provide for this motion. Therefore, we rely upon standing order 1(c). Standing order 1(c), as you know, speaks to all contingencies not provided for in the standing orders. This—I believe it's common ground—is one of them.

(1) You, making the decision, "shall base the decision on the democratic rights of members referred to in clause (b)." In this respect, I would put to you that standing order 1(b)(i), the democratic rights of members to submit motions for the consideration of the Assembly—that's precisely what was done by the leader of the New Democratic Party, who submitted a motion.

(2) You shall also "have regard to any applicable usages and precedents." What that indicates clearly is that you are not bound by usages and precedents but rather that you're guided by them. I put to you that I am not aware of any precedents in this Legislature that would be of guidance to the Speaker. That does not mean there aren't any. I'm simply telling you that after some thorough effort to find any, I am not aware of any. Too, I acknowledge and submit, quite frankly, that you should be having regard to precedents and usages. But again the operative word here is "regard."

I submit as well that there is clear, in standing order 1(b)(i)—which is, if anything, the interpretive guide for the standing orders. It's referred to so frequently, and I believe there's no dispute about that. It's the interpretive guide. It speaks about the purpose, and here, "that respects the democratic rights." Again, it speaks very clearly about rights. Here it's the right of a member, the right to submit a motion. It's a motion that, yes, has a very peculiar impact on the standing of this House in the context of this particular debate. But I submit to you that the mere reliance, as referred to by the Speaker, on a federal precedent—I also want to make it very clear that this is a request for a session to be in camera, as compared to other somewhat similar, but certainly not identical, requests. That quite frankly goes to a request,



let's say, for the exclusion of strangers. It's a far different scenario for in camera than there is for the exclusion of strangers. For instance, for the mere exclusion of strangers, there is still a Hansard kept. "In camera" implies restrictions on the Hansard as well.

I put to you that there are some other considerations here that make this special and distinct: the rights of members to move a motion stated boldly and clearly in our standing orders, and the fact of mere regard. I submit that you have to tailor your response to the circumstances as they are here.

**The Deputy Speaker:** I appreciate and thank you for your submission. I look to the government House leader for the same.

1710

**Hon Mr Stockwell:** I don't want to take up a lot of time. This is flat-out preposterous. Relying on 1(b), yes, members have the right to move a motion of adjournment of the House and adjournment of the debate. That's all well and good. If the argument the member is proffering doesn't have any precedents, you know why it doesn't have any precedents? Because there aren't any.

The fact of the matter remains that it's a preposterous argument. These are substantive motions, fully debatable. If that's the argument the person is putting forward, all members would end up putting fully debatable motions forward in this House. There would never be any ability of the government to order the business of the House or to get the House work done.

I don't want to take a lot of time. This is a classic case of the member having had too much time on his hands. If the ruling is that opposition members can move debatable, substantive motions, then we are in a heck of a mess in this place because there is no ability for the government to order business.

**The Deputy Speaker:** I'll afford the same opportunity—you don't need it.

I see you rising, leader of the third party. If you've got something new, I'll listen.

**Mr Hampton:** My argument, as I briefly outlined, is that our own committees in this Legislature, which are but delegated bodies of this House, in fact have the capacity and the right by motion—and it need not be a motion of a government member; it can be a motion by any member of the committee—to in fact proceed in camera. That is simply the motion I am making here. If I'd made this motion in public accounts committee this morning, that motion would be in order. If I made this motion in general government committee, that motion would be in order. If I made this motion in any other committee, it would be in order. So it can't possibly be that I would have those rights as a member in a committee, which is just a delegated body of this House, and not have those rights in this House.

I again repeat from Marleau and Montpetit who say, at page 350 of House of Commons Procedure and Practice, "Although not explicitly provided for in the standing orders, the House has the right and authority to conduct its proceedings in private." I would argue that if I have

the right as a member in committee to move that motion, then I must have the right as a member of this House to move that motion in the House, because I could not enjoy a different right or more rights in committee than I enjoy in the House. That would just be a logical absurdity because the committee procedure derives its procedure from the procedure of this House.

**The Deputy Speaker:** Thank you very much. I appreciate the submissions by all those who made them. My ruling is that this is indeed a substantive motion. It would be in order during motions, assuming it came from the government. Therefore, I do rule that it is out of order at this time. Please start the clock. You have the floor again, leader of the third party.

**Mr Hampton:** I do not want to debate your ruling but I am at a loss to understand how, as a member, I could enjoy rights in a committee of the Legislature but those rights are not similarly available in the Legislature as a whole. It seems to me there is a logical absurdity here. A member in committee can only exercise the same rights and privileges in committee that one can exercise in the House.

I want to outline in just a moment again the misguided direction here of the government. What we have currently is a transmission system in Ontario where any member of the Legislature can stand and ask questions about transmission rates. You can even stand and ask questions about the exorbitant salaries, bonuses and expense accounts of the executive membership at the transmission grid company. You can ask questions about future plans for the maintenance or development of that transmission company. You can ask questions about how this will be financed and when it will be done. You can ask all of those questions.

What the government has in mind, and you have to follow their language carefully, is that this will in part, they now say, be sold to a profit-driven company. But what we must really zero in on is the Premier's comments that in effect the profit-driven company will become the managing mind of the utility. In other words, what is an essential public service, what is an essential service for the Ontario economy, for Ontario consumers, Ontario businesses, will no longer be accountable to the public, should this government have its way; it will no longer be accountable to the people of Ontario through the Legislature and through legislative committees and through question period; it will no longer be any of those things. It will effectively be controlled, managed, from somewhere else, and just as we were told for over two years that the government had no concerns about the grossly inflated salaries, bonuses and expenses that were being paid at Hydro One, we will no longer be able to get acceptable answers on this front. We will no longer be able to raise in a publicly accountable way all of these things which are so essential to Ontario consumers, so essential to Ontario industry and, frankly, so essential to persons living across the breadth of this province.

That is why debate is essential on this bill. That is why consideration—and I would argue lengthy consider-

ation—is required on this bill. This has the potential of impacting every business in this province, no matter how large, no matter how small. It has the potential of impacting everyone's hydro bill. It has the potential of affecting people's tax bills, because if the cost of heating the community centre, if the cost of keeping ice in the rink, if the cost of keeping public—

**The Deputy Speaker:** Take your seat, please. Point of order, government House leader.

**Hon Mr Stockwell:** On a point of order, Mr Speaker: The 60 minutes has expired for this debate time. We're now closing in on 5:30 of the clock. I understand the game plan of the third party. It's expired. I think we should move to the vote.

**The Deputy Speaker:** I'm aware that we have a bit of a dilemma. At least, I have a bit of a dilemma, in that I stopped the clock to allow the debate around the point of order to take place. One of the roles of the Chair is to remain as neutral as possible. That also means being aware when one inadvertently may become part of the actions of this place in terms of the dynamic between the three parties.

In hindsight, I probably should not have stopped the clock. We wouldn't have had a problem at all and it would have been up to the leader of the third party to decide whether he chose to use his time debating the point of order or making his speech.

With that in mind, I personally apologize to the leader of the third party for not having handled it that way. However, I do believe if that error were not corrected now, a greater error could happen with regard to my inadvertent role in what's happening on the floor. Therefore, with my apologies extended for any error that I may have made in stopping the clock, I do agree with the government House leader that the time allocation of one hour has expired and it is now time for the House to vote.

Therefore, pursuant to the order of the House dated June 10, 2002, I am now required to put the question.

Mr Stockwell has moved third reading of Bill 58. Is it the pleasure of the House that the motion carry?

All those in favour, please indicate by saying "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1720 to 1726.*

**The Deputy Speaker:** All those members in favour of the motion will please rise one at a time and be recognized by the Clerk.

Elliott, Brenda  
Eves, Ernie  
Galt, Doug  
Gilchrist, Steve

Munro, Julia  
Murdoch, Bill  
Mushinski, Marilyn  
O'Toole, John

Wilson, Jim  
Wood, Bob  
Young, David

**The Deputy Speaker:** All those members opposed to the motion will please rise one at a time and be recognized by the Clerk.

#### Nays

Agostino, Dominic  
Bartolucci, Rick  
Bisson, Gilles  
Bountrogianni, Marie  
Boyer, Claudette  
Bryant, Michael  
Caplan, David  
Churley, Marilyn  
Colle, Mike  
Conway, Sean G.  
Di Cocco, Caroline

Dombrowsky, Leona  
Duncan, Dwight  
Gravelle, Michael  
Hampton, Howard  
Kennedy, Gerard  
Kormos, Peter  
Kwinter, Monte  
Lalonde, Jean-Marc  
Marchese, Rosario  
Martel, Shelley  
Martin, Tony

McGuinty, Dalton  
Parsons, Ernie  
Peters, Steve  
Phillips, Gerry  
Prue, Michael  
Pupatello, Sandra  
Ramsay, David  
Ruprecht, Tony  
Smitherman, George  
Sorbara, Greg

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 44, the nays are 32.

**The Deputy Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

**Hon Mr Stockwell:** Mr Speaker, I seek unanimous consent to call the orders for second and third readings on Bill Pr2, Bill Pr3, Bill Pr5, Bill Pr8 and Bill Pr10 so that they may be moved and considered concurrently without debate.

**The Deputy Speaker:** There has been a request for unanimous consent. Is it agreed? Any opposed? Hearing none, the House is agreed to that process.

#### WYCLIFFE COLLEGE ACT, 2002

Mr Smitherman moved second reading of the following bill:

Bill Pr2, An Act respecting Wycliffe College.

**The Deputy Speaker (Mr David Christopherson):** Is it the pleasure of the House that the motion carry? Any opposed? Hearing none, the motion is carried.

Mr Smitherman moved third reading of the following bill:

Bill Pr2, An Act respecting Wycliffe College.

**The Deputy Speaker:** Is it the pleasure of the House that the motion carry? Any opposed? Hearing none, I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

#### CITY OF OTTAWA ACT (REMEMBRANCE DAY), 2002

Mr Guzzo moved second reading of the following bill:  
Bill Pr3, An Act respecting the City of Ottawa.

**The Deputy Speaker (Mr David Christopherson):** Is it the pleasure of the House that the motion carry? Are there any opposed? Hearing none, the motion is carried.

Mr Guzzo moved third reading of the following bill:

#### Ayes

Amott, Ted  
Baird, John R.  
Barrett, Toby  
Beaubien, Marcel  
Chudleigh, Ted  
Clark, Brad  
Clement, Tony  
Coburn, Brian  
Cunningham, Dianne  
Dunlop, Garfield  
Ecker, Janet

Gill, Raminder  
Guzzo, Garry J.  
Hardeman, Ernie  
Hodgson, Chris  
Jackson, Cameron  
Klees, Frank  
Marland, Margaret  
Mazzilli, Frank  
McDonald, AL  
Miller, Norm  
Molinari, Tina R.

Ouellette, Jerry J.  
Runciman, Robert W.  
Sampson, Rob  
Spina, Joseph  
Sterling, Norman W.  
Stewart, R. Gary  
Stockwell, Chris  
Tascona, Joseph N.  
Tsubouchi, David H.  
Turnbull, David  
Wettlaufer, Wayne



Bill Pr3, An Act respecting the City of Ottawa.

**The Deputy Speaker:** Is it the pleasure of the House that the motion carry? I declare it carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

#### GROVES MEMORIAL COMMUNITY HOSPITAL ACT, 2002

Mr Arnott moved second reading of the following bill:  
Bill Pr5, An Act respecting Groves Memorial Community Hospital.

**The Deputy Speaker (Mr David Christopherson):** Is it the pleasure of the House that the motion carry? Carried.

Mr Arnott moved third reading of the following bill:  
Bill Pr5, An Act respecting Groves Memorial Community Hospital.

**The Deputy Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

#### 1397399 ONTARIO INC. ACT, 2002

Mr O'Toole moved second reading of the following bill:

Bill Pr8, An Act to revive 1397399 Ontario Inc.

**The Deputy Speaker (Mr David Christopherson):** Is it the pleasure of the House that the motion carry? Carried.

Mr O'Toole moved third reading of the following bill:  
Bill Pr8, An Act to revive 1397399 Ontario Inc.

**The Deputy Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

#### ROYAL OTTAWA HEALTH CARE GROUP/SERVICES DE SANTÉ ROYAL OTTAWA ACT, 2002

Mrs Boyer, on behalf of Mr Patten, moved second reading of the following bill:

Bill Pr10, An Act respecting Royal Ottawa Health Care Group/Services de Santé Royal Ottawa.

**The Deputy Speaker (Mr David Christopherson):** Is it the pleasure of the House that the motion carry? Carried.

Mrs Boyer, on behalf of Mr Patten, moved third reading of the following bill:

Bill Pr10, An Act respecting Royal Ottawa Health Care Group/Services de Santé Royal Ottawa.

**The Deputy Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

**Mr Michael Bryant (St Paul's):** On a point of order, Mr Speaker: There may have been an oversight. There is

another private bill on the order paper. I seek unanimous consent for second and third reading of Bill Pr22, An Act respecting the demolition of rental housing units in the City of Toronto.

**The Deputy Speaker:** There is a request for unanimous consent. I'm hearing a no. Sorry, member.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** Speaker, His Honour awaits.

1740

*His Honour the Lieutenant Governor of Ontario entered the chamber of the Legislative Assembly and took his seat upon the throne.*

#### ROYAL ASSENT SANCTION ROYALE

**Hon James K. Bartleman (Lieutenant Governor):** Pray be seated.

**The Deputy Speaker (Mr David Christopherson):** May it please Your Honour, the Legislative Assembly of the province has, at its present meetings thereof, passed certain bills to which, in the name of and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

**Clerk Assistant (Ms Deborah Deller):** The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 58, An Act to amend certain statutes in relation to the energy sector / Projet de loi 58, Loi modifiant certaines lois en ce qui concerne le secteur de l'énergie;

Bill 168, An Act to protect victims by prohibiting profiting from recounting of crime / Projet de loi 168, Loi visant à protéger les victimes en interdisant les gains tirés du récit d'actes criminels;

Bill 80, An Act respecting directors and officers of Hydro One Inc. and its subsidiaries / Projet de loi 80, Loi concernant les administrateurs et les dirigeants de Hydro One Inc. et de ses filiales;

Bill 81, An Act to provide standards with respect to the management of materials containing nutrients used on lands, to provide for the making of regulations with respect to farm animals and lands to which nutrients are applied, and to make related amendments to other Acts / Projet de loi 81, Loi prévoyant des normes à l'égard de la gestion des matières contenant des éléments nutritifs utilisées sur les biens-fonds, prévoyant la prise de règlements à l'égard des animaux d'élevage et des biens-fonds sur lesquels des éléments nutritifs sont épanchés et apportant des modifications connexes à d'autres lois;

Bill 86, An Act to rescue children trapped in the misery of prostitution and other forms of sexual exploitation and to amend the Highway Traffic Act / Projet de loi 86, Loi visant à délivrer les enfants prisonniers de la prostitution et d'autres formes d'exploitation sexuelle et modifiant le Code de la route;

Bill 90, An Act to promote the reduction, reuse and recycling of waste / Projet de loi 90, Loi visant à

promouvoir la réduction, la réutilisation et le recyclage des déchets;

Bill 101, An Act to protect students from sexual abuse and to otherwise provide for the protection of students / Projet de loi 101, Loi visant à protéger les élèves contre les mauvais traitements d'ordre sexuel et à prévoir autrement leur protection;

Bill 109, An Act to implement the measures contained in the 2002 Ontario Budget and to implement other initiatives of the Government of Ontario / Projet de loi 109, Loi mettant en oeuvre certaines mesures énoncées dans le budget de l'Ontario de 2002 ainsi que d'autres initiatives du gouvernement de l'Ontario;

Bill 124, An Act to improve public safety and to increase efficiency in building code enforcement / Projet de loi 124, Loi visant à améliorer la sécurité publique et à accroître l'efficacité dans l'exécution du code du bâtiment;

Bill 135, An Act to recognize Ontario's recreational hunting and fishing heritage and to establish the Fish and Wildlife Heritage Commission / Projet de loi 135, Loi visant à reconnaître le patrimoine de la chasse et de la

pêche sportives en Ontario et à créer la Commission du patrimoine chasse et pêche;

Bill Pr2, An Act respecting Wycliffe College;

Bill Pr3, An Act respecting the City of Ottawa;

Bill Pr5, An Act respecting Groves Memorial Community Hospital;

Bill Pr8, An Act to revive 1397399 Ontario Inc.;

Bill Pr10, An Act respecting Royal Ottawa Health Care Group/Services de Santé Royal Ottawa.

**Clerk of the House (Mr Claude L. DesRosiers):** In Her Majesty's name, His Honour the Lieutenant Governor doth assent to these bills.

Au nom de Sa Majesté, Son Honneur le lieutenant-gouverneur sanctionne ces projets de loi.

*His Honour was then pleased to retire.*

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I move adjournment of the House.

**The Deputy Speaker:** Is it the pleasure of the House that the motion carry? Carried.

This House stands adjourned until 6:45 this evening.

*The House adjourned at 1746.*

*Evening meeting reported in volume B.*



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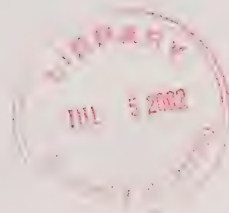
**Jeudi 27 juin 2002**

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 27 June 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 27 juin 2002

*The House met at 1845.*

**Hon John R. Baird (Associate Minister of Franco-phone Affairs):** I ask for unanimous consent to proceed with the adjournment debate before orders of the day and that the sessional day begin when the first government order is called.

**The Acting Speaker (Mr Bert Johnson):** Is there consent? Agreed?

*Interjections.*

**The Acting Speaker:** I recognize the member for Timmins-James Bay.

**Mr Gilles Bisson (Timmins-James Bay):** In a spirit of co-operation, I just want to make sure we understand what we're doing here. We're going to be allowing Mr Kennedy to do his late show, at which point the government, when his late show is done, will come back and call Bill 148. At the end of Bill 148, when it collapses, there are no other orders that are going to be called. On that basis, we're prepared to give consent.

**Hon Mr Baird:** I would certainly indicate to the member opposite that if Bill 148 collapsed and the vote on second reading were to occur, we wouldn't call anything as a government order after that.

**Mr Bisson:** I just want it to be clear for the record: when Mr Kennedy gets an opportunity to do his late show, that's the only business we deal with there, and then we'd move to the next, orders of the day, which would be Bill 148 and the adjournment, right?

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** On a point of order, Mr Speaker: I can't understand what we're doing here either. That's why I was trying to listen to them and find out.

*Interjection.*

**Mr Murdoch:** What's that?

I would like the member who just introduced this to explain it again.

**The Acting Speaker:** Mr Baird, if you could go through that motion once again, please.

**Hon Mr Baird:** I seek unanimous consent to proceed with the adjournment debate before orders of the day and that the sessional day begin when the first government order is called.

Basically, that would allow the late show to take place before orders of the day, so that Mr Kennedy could have his late show.

**The Acting Speaker:** Is there unanimous consent? It is agreed.

1850

### ADJOURNMENT DEBATE

#### EDUCATION FUNDING

**Mr Gerard Kennedy (Parkdale-High Park):** Thank you for the co-operation of the House. I have a late show due to dissatisfaction with the response the Premier gave yesterday, and I guess he or his representative will be here to respond, which the people of Ontario require.

The Premier declined to give either facts or policy or outlook as to why it is that the students of this province, particularly in large urban areas, some of which are represented by government parties—there are government representatives in some of these urban areas, but they aren't standing up either. We may hear from some of them tonight because they'll get the additional opportunity that I'm providing with this late show to say why they're in favour of stripping money out of their boards, why they want to see students in urban areas get by with less.

The Premier, in his capacity as a seven-out-of-eight-year member of this government, as the Treasurer in the former administration that he tries to create distance from, still has the intimate responsibility for what has happened to our urban-area school boards and, most importantly, the students.

I'm here to defend students, and I would hope to enlist a number of members of the government. Frankly, defenders of students right now are some of those much-maligned school boards because what has happened is, for example—and I'm happy to table these figures here in the Legislature today—\$616 million has been cut by this government in the course of its life from the school board in Toronto. Now, \$616 million is a lot of money and the government of the day would like the public to not notice it because they would like to decline responsibility for the \$90-million shortfall that the board is wrestling with.

In fact, including London, Hamilton and Ottawa, the other cities that have declined to put forward forced balanced budgets, there is \$853 million that the Eves government has cut, has taken away from those boards, and meanwhile they say they have shortfalls in the amount of \$144 million. I think a reasonable person would say that if the government is cutting \$853 million, that might have something to do with the fact that the school boards cannot find the amount of cuts the

government is demanding. There is a limit. There is a point at which students are being harmed. If there's a point to be reached, it will be reached more accessibly and more quickly in the urban areas. We haven't heard that from the members opposite who represent urban areas. Perhaps they haven't been in touch with the students.

They're going to release their report card very shortly on our MPP back-to-school program. I want to congratulate a few of the members opposite. Mr Miller will be one, and there will be others, who went back to school for a day. There will be a number of members opposite who will get Fs, not because of anything anybody in the opposition did, but simply because they couldn't find the time, they couldn't be bothered to go back to school and find out if there are schools in their ridings in need of some of the funds that the school boards are presenting to us, to the Ontario public, as necessary for their children's education.

Instead, what the Premier declined to answer yesterday is—if he represents any kind of new era, even if his small little finger or some portion of what he wishes to do is new and he wants the confidence of the public, it'll be judged on his actions. All he has to do is put forward to this House a willingness to entertain the possibility that having cut five times as much money from these school boards as they're now showing as problematic deficits—either money that they have to run as a deficit, which is illegal under the current government, and should be, or they have to in fact make cuts that will hurt children to that amount. Many of them believe they've already made those cuts and they've already harmed the education of children. For example, 55% of kids have failed their grade 9 math test, and none of the members I know of on the other side of the House have said, "We've got to help those kids pass. Some of those have got to go on and be part of a future workforce and have got to succeed." Not a single one. I didn't hear a single member opposite say that special education is going to improve because we're going to do something about that, we're actually going to do something about it.

There may be somebody, one of the members opposite, who will get up on behalf of the Premier and claim numbers, and they'll claim numbers like \$557 million and so on. In the budget it says there was a \$314-million increase in education, which is less than the rate of inflation. What has actually happened is, even this year there is \$87 less for every single student; and in the school boards being talked about, there's even less: \$2,000 less over five years, over \$100 less in terms of the last year in Toronto; similar numbers—\$1,800 less—in Ottawa; similar numbers for Hamilton and London—around the \$1,200 range. That's less money that each child gets per year.

It's not the money that counts; it's their education. What we have from the Premier and from the members opposite is apparently a lack of interest, a lack of conviction and a willingness to hide behind a public relations

agenda, manipulating numbers, rather than giving us the facts and the answers that those students need.

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** It does give me great pleasure, on behalf of the Premier, to perhaps answer this question which is related to—I was ready yesterday to answer this late show. I'm not sure if the member was here. I was ready before 6 o'clock today and I'm ready now. I do have many numbers but I'll be very happy to provide those numbers so the member doesn't have to note them down.

Three things we did in the current budget that Minister Ecker brought in, the fourth budget in a row which is balanced. There are three areas where we increased the spending: record spending in health care; record spending in education; and record spending in environment.

Coming back specifically to the question from the member for Parkdale-High Park, I'd like to state that our government is increasing funding for Ontario's public schools by almost \$400 million for the 2002-03 school year. That's a record increase, up to \$14.26 billion. This increase is more than the \$360 million that we announced this time last year. This increase means that the funding will increase by 2.9% over last year, while enrolment itself is only increasing by 0.4%. In fact, while more than half of school boards may see a drop in the number of students, almost all of them—all 72 school boards—will have received an increase in funding. This funding increase of 2.9% is more than double Ontario's economic growth, which was only 1% over the past year.

Not only does this increased funding recognize the expected increase in enrolment, it also includes significant enhancements in key areas. For example, \$200 million for boards to address local priorities—this increases the local priorities amount from \$200 million to \$400 million, which represents an increase of \$100 for every student in the province of Ontario; \$43 million in new permanent transportation funding to recognize cost pressures; \$23 million for boards with declining enrolment; \$25 million for school renewal; \$15 million for the learning opportunities grant to help students who may be at risk of not achieving their full potential.

Last year, we introduced the notion of flexible funding to increase boards' ability to match funding to local priorities, so we're giving them the flexibility. For 2002-03, boards will have \$490 million in flexible funding. This increased funding builds on other commitments made in the throne speech as well, as you would have heard.

There will be three-year base funding for school boards so that they can plan better—they know how much money they'll be receiving—a new budget cycle where budgets are delivered before the start of the fiscal year, and the quality in the classroom fund.

With this \$14.26 billion in funding, we are giving school boards more of the resources and tools they need to enhance learning opportunities for students and making a solid commitment to sustaining a strong public school system in Ontario.

At a time when we've had to make difficult spending decisions, we clearly made the education of Ontario stu-



dents our priority. Since new Premier Ernie Eves was sworn in, our government has announced almost \$560 million in new spending for Ontario's public school funding, including \$65 million for new textbooks and learning resources to give students the tools they need to master the new curriculum, \$25 million for the implementation of the new early math strategy and to expand the early reading strategy; \$350 million in increased funding for Ontario's public schools in 2002-03 announced in May, and \$117 million in additional funding announced in the June 17 budget.

Since its introduction in 1998, student-focused funding has increased by 9.2%, or more than three times the rate of inflation, and the critical area of special-education funding has increased by more than 17%, or roughly six times the rate of enrolment growth.

I'll be very happy to table this so that the member opposite can take a look at it.

**The Acting Speaker (Mr Bert Johnson):** The late show has ended. I don't know whether to call it the early show or the late late show.

**Mr Gerard Kennedy:** On a point of order, Mr Speaker: Were the legislative rules of order to allow it, I would ask for a late show on the late show because of the regurgitation ably done by the member opposite. I would challenge the member opposite—

**The Acting Speaker:** Order. That is not a point of order.

1900

## ORDERS OF THE DAY

### EMERGENCY READINESS ACT, 2002

#### LOI DE 2002

#### SUR L'ÉTAT DE PRÉPARATION AUX SITUATIONS D'URGENCE

Resuming the debate adjourned on June 26, 2002, on the motion for second reading of Bill 148, An Act to provide for declarations of death in certain circumstances and to amend the Emergency Plans Act / Projet de loi 148, Loi prévoyant la déclaration de décès dans certaines circonstances et modifiant la Loi sur les mesures d'urgence.

**The Acting Speaker (Mr Bert Johnson):** When we left off, the member for Niagara Centre had just finished his remarks, his debate, so we are now into questions and comments. We'll go in rotation and we'll start with the government caucus. The Chair recognizes the chief government whip and deputy House leader.

**Hon John R. Baird (Associate Minister of Franco-phone Affairs):** I was here for the remarks by the member for Niagara Centre. They were interesting and engaging. Every member on the floor is wiser, having heard the member.

**Ms Shelley Martel (Nickel Belt):** I thought the minister was going to say that he was literally on the

floor last night, laughing as a result of some of the comments that were made about the black dog and his colleague Mr Turnbull, who is probably out working at the 7-Eleven again this evening.

Last night the minister was trying to convince members in the House to give unanimous consent to the bill. During the remarks that my colleague from Niagara Centre made last night, I think he made it very clear why we had concerns and why we had put it to this minister that this bill should go out for some committee hearings.

I want to read into the record again a piece of correspondence that my colleague read into the record last night which we think clearly indicates why the minister should have full public hearings if he is really serious about this issue. This was a letter that was sent to the previous minister, David Turnbull, December 8, 2001, and it says the following:

"I am writing today with respect to legislation you introduced in the Legislature on Thursday, December 6, 2001. Bill 148, the Emergency Readiness Act ... is a good first step and opportunity toward making the citizens of Ontario safer....

"However, my disappointment lies in the fact that this legislation is lacking in enforcement mechanisms for municipalities that do not comply. As well, there is no authority given to a 'body' of the government such as Emergency Measures Ontario to obligate a municipality to have minimum response requirements given their risk assessments.

"For this legislation to truly succeed ... communities must be obliged to produce an appropriate response.

"On behalf of the 9,000 members of the Ontario Professional Fire Fighters Association I respectfully request that you submit Bill 148 for extensive public consultations and hearings. This will allow for proper dialogue and input to occur from the emergency response agencies responsible for delivering these services and from the citizens we are protecting."

I would encourage the minister to respond positively to this letter.

**Mr Bob Wood (London West):** My comments are going to be very brief. The member does have a long history of experience and interest in this area. While I certainly don't always agree with all his opinions, I thought his speech showed his experience and interest in the subject and he made a number of points that are well worth considering.

**Mr Gilles Bisson (Timmins-James Bay):** I want to raise one of the points made by my colleague the member for Niagara Centre.

I'm wondering about this particular letter, dated December 8, from the Ontario Professional Fire Fighters Association, signed by Fred LeBlanc, executive vice-president, which says, "However, my disappointment lies in the fact that this legislation is lacking in enforcement mechanisms for municipalities that do not comply. As well, there is no authority given to a 'body' of the government such as Emergency Measures Ontario to obligate a municipality to have minimum response re-

quirements given the risk assessments." It goes on to talk about no money coming with these new powers.

**Mr Rosario Marchese (Trinity-Spadina):** There is no money.

**Mr Bisson:** There's no money. I want to ask the member from Niagara Centre this question: has any minister of the crown seen this letter? Has Bob Runciman seen the letter? I can't believe that Sheriff Bob, if he had seen the letter, because we know him to be an honourable member who cares deeply and passionately about firefighters and police officers across this province, would go ahead with this bill, having seen basically what the firefighters' associations are saying about it.

From our perspective, we think the bill is probably doing some good things. No argument, but here's the problem: once you transfer all of those new-found powers and responsibilities on to local firefighters and other emergency response people, where's the beef? How are they going to pay for it? Does it mean that municipalities will say, "In order to carry out our new obligations, we're going to have to cut back on snowplowing, we're going to have to cut back on who knows what other services, less time in pools for kids, less time to fix our roads," or whatever it is? It's a question of give and take. Municipalities only have so much room when it comes to taxation and when it comes to the sizes of budgets they have. If we're going to download services on to municipalities, I would argue as a New Democrat that you need to make sure they've got the tools—that means cash—to be able to do it. I want to know, did Minister Runciman or any other member of cabinet see this letter?

**The Acting Speaker:** The member for Niagara Centre has two minutes to respond.

**Mr Peter Kormos (Niagara Centre):** In but two minutes—look, some significant issues. Yes, the Ontario Professional Fire Fighters Association says there's a need for extensive public hearings. New Democrats agree.

Interestingly, the bill was presented for first reading on December 6, 2001. Then, last night, June 26, 2002, the current Solicitor General came into this chamber and was frantic about how this bill has got to pass in a hurry because it's been so long since September 11. Yet, between December 6 and mid-December, when the House rose for Christmas, had this bill been called for second reading?

**Interjection:** No.

**Mr Kormos:** Not at all. When did we come back here, folks? April 12 or so?

*Interjections.*

**Mr Kormos:** April 9—

**Hon Mr Baird:** May 9.

**Mr Kormos:** —until June 26—

**Hon Mr Baird:** May 9.

**Mr Kormos:** May—had the bill come forward for second reading? No, not at all. Zip. Zero. Meanwhile, the government brings motions darned near every week to create two seasonal days out of one calendar day: sit afternoons and sit evenings. Was the bill called? No.

While one is hard-pressed to attach a whole lot of credibility to the minister of public security, he says, "Oh, it's really urgent. We've got to pass this bill."

Sorry; the government orders its own agenda. The government establishes priorities. The government determines when we come back, as we came back late by at least a month, if not more, coming back in the early part of May. Too bad; so sad. The bill may well complete second reading today, but clearly the government wasn't interested in seeing this bill go out to committee during the summer break—didn't bring a motion to that effect. How interesting.

**The Acting Speaker:** Further debate.

**Ms Marilyn Churley (Toronto-Danforth):** It's my pleasure to have the opportunity to speak to this bill tonight since I haven't had that opportunity as yet. As my colleagues have already pointed out, our caucus has some serious concerns about this bill. We want it to go to full committee hearings, as do the firefighters. They've made that very clear. I think it's incumbent on the government, when they bring forward such a serious bill that can have an enormous impact on so many people—municipalities, firefighters, other bodies—and there are concerns expressed about it, we should be taking the bill to committee.

I understand that the government did come to our House leader and ask for unanimous consent to bring this forward. We did not give our approval to do that because in fact there has been concern expressed, and some of the reasons have already been pointed out. We agree that municipalities should be required to have plans in place to deal with an emergency, not just for the unlikely event of an attack but if an arena roof caves in or in the case of flooding or other natural disasters. But our first concern is that this bill puts the onus on already cash-strapped municipalities to come up with plans based on what we already know here are their very limited and now inadequate resources as a result of the downloading from this government.

**1910**

We need to see a commitment from the government to provide the necessary funding to ensure that our police, firefighters and other emergency workers are able to handle such a crisis. Bill after bill after bill has been coming forward in this House with consequences for municipalities without the necessary resources coming from the government to ensure that they can actually handle those new requirements.

The fire marshal's staffing guideline of 10 firefighters on the scene in 10 minutes is currently not happening. Most municipalities are not in compliance with this. So we want to know, what are the standards the government will impose on municipalities in regulations? How will they differ from the standards already in place? How will they ensure compliance if there isn't funding to help municipalities deal with their existing needs? They don't have the funding for their existing needs, not to mention the needs they would have in times of crises.

There are a lot of unanswered questions in this bill. I can understand the government wanting it to move for-



ward, although they had ample opportunity in this House to have brought this bill forward and have full debate on it. It's just common sense—dare I use the term; I see the government doesn't use that one very much any more—to bring a substantive bill like this out for public hearings so that those who are directly affected, like municipalities, police, firefighters and other civil servants who have to set the standards for emergency management, can have a say in making amendments and improving upon this bill, making sure that the resources are there to actually make the bill work, because without those resources it's not worth the piece of paper it's written on, it's all smoke and mirrors. The government can say, like a whole lot of other bills they bring forward, "Oh, we brought in"—whatever the great title is—"Bill 148, the Emergency Readiness Act, 2002." That's going to look good on paper, like the titles of a lot of other bills, but it won't happen if the resources aren't there to do it.

In the context of this bill, it has been a very disappointing day here in this Legislature for me and perhaps for members all around. I know the government wanted this bill to be passed by unanimous consent. We couldn't agree to that, because we don't support the bill. But all three parties here today had certain bills that everybody supported and agreed with, but because of the general games and last-minute negotiations that go on between all three House leaders of all three parties, the games that most people don't see—

*Interjection.*

**Ms Churley:** This is serious, actually, because I blame everybody in the Legislature for the mess we're in now. When I came into politics, and over the years it has grown—and coming back to this bill, there's a reason why I can't support unanimous consent for it today. But when I came into politics I came, like most people, wanting to do the most good for the most people, especially my constituents, but all of the people of Ontario. I believe that's why we all get elected and come to this House, no matter which party we're from. God knows, I don't usually agree with Tory legislation, but sometimes I agree with some of the legislation. Some of the Tory backbenchers have good pieces of legislation; I would say innocuous legislation, nice legislation. The Liberals had some good legislation that we all agreed with today, like the environment and health committee, which we all supported. I had two bills today, the adoption bill, Bill 77, which, God knows, I've been trying to get through in this House since 1999—and Tony Martin before that. The majority of people agree with it, but a few people continue to hold it up, whereas there are thousands and thousands of people in support of that particular bill, unlike this bill here today, which people have problems with.

Another bill, Bill 3, the Safe Drinking Water Act, to our surprise the government agreed to send out to committee for public hearings. Lo and behold, later this afternoon I realized in the context of this bill—the bill I'm speaking to—and other bills the government wanted unanimous consent on today, that we ended up not getting Bill 77.

I wasn't surprised by that. It's difficult. There are a couple of key, influential players in the government who keep holding it up, and I'll just keep working away on it. I did tell my House leader that that should be the thing we should fight for and that we should negotiate around, but I did admit I didn't think we could get that bill. I didn't realize that Bill 3 was going to come into it, as with the bill I'm speaking to here, Bill 148, the Emergency Readiness Act, 2002, and other bills that we knew the government wanted.

Lo and behold, I just took it for granted that Bill 3, the Safe Drinking Water Act, which was in Premier Ernie Eves's budget speech, a bill the Premier stood up and said he wanted to go out to committee, that it was a good bill to take forward, a bill I've been talking to the Minister of the Environment about for some weeks now, a bill I've been talking to community after community about over the last little while—people were very excited to see, once and for all, what they want to see more of: legislators working together for the common good. Bill 3 is a shining example of that.

What did we see today? I say, "Shame on all of us," that we couldn't come together—the little games we play in the Legislature on the last day of the session that no people out there care about. Most people have no idea of the games that are played and the negotiations that go on. They're part of how this place works. Those of us who have been around for a while—my colleagues here—have been on both sides. We know how the games are played on the last day of the House. House leaders sit down and negotiate. That's what happens. It's horse-trading: "You give me this, and I'll give you that."

What's happening more and more is that trading isn't happening. For some bills, like this bill, Bill 148, the Emergency Readiness Act, there are good reasons. We have real problems with this bill, and there is no way we were going to agree to it today. We want it to go to public hearings. I do not see why, when we had a bill such as Bill 3, a Safe Drinking Water Act that all three parties agreed to, or Mr Duncan's private member's bill to set up a select committee to look at the connections between health and the environment—there are a lot of people out there, after hearing the debate, which I spoke favourably to, looking forward to that committee being started this summer.

I was told that Bill 3 would go out in the fall. I do not understand how Bill 3 entered into the negotiations whatsoever as I talk about Bill 148, the Emergency Readiness Act, which I do not support in its present form. We all agreed that Bill 3, in the context of Judge O'Connor's recommendations, was a good bill, that it had to go out and, yes, that it had to be substantively changed, because when I wrote my bill—I worked hard on that bill, and so did a lot of other people—we were trying to do something that was good for all Ontarians. But I agreed with the minister and the Premier that it needed changes, because now we had the benefit of Judge O'Connor's recommendations.

When that bill goes to committee, if it ever does now, I may not agree with all the amendments. I still have the

ability, if I don't like it, to kill it. Then the government would have to come back with its own bill. But I am working with environmentalists now. I am trying to make sure the amended bill will be in place as soon as possible, so that we'll never see another Walkerton again. That's what we're supposed to be doing in this Legislature. That is why we're here. Yes, we get up and debate and argue and have fun and games time after time, and mostly we don't agree with each other. And those debates are important. But for heaven's sake, when once we get a bill before this Legislature that's going to have a huge impact on our water, that's going to protect our water so that it's safe to drink, a bill that the Premier said he wanted to send out for hearings, that none of the House leaders could get together today and find a way to make that happen is a disgrace to this whole House.

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I would say to each and every party today that there is still an opportunity before we leave this Legislature tonight to get together, to sit down and say, "Let's work something out here," so we can send Bill 3 out to committee, because I'll tell you, it should not be a part of any of the negotiations today. I told my House leader that, and I told the government House leader and the Liberal House leader that, that I was shocked and surprised when I found out that Bill 3—a bill that the government said it wanted to go out to committee, and the Liberals had supported it going out to committee and, of course, my caucus—was even included in the negotiations. I think we all agree that was a bit of a shock.

I understand that the House leaders were fighting with each other and couldn't agree on things. That's accepted; that's happening more and more. We see very little agreement any more in this Legislature. But it's not only not fair to me—and I am upset, I'm hurt, I'm angered and, frankly, I'm shocked that this isn't going forward. I felt so good as a legislator that I worked for two years on a bill and finally got the agreement of the whole House that it should go to committee, I felt so good as a legislator that I was doing something positive and bringing forward something positive, I was being listened to. So personally, it's a real blow and a real shock to me.

But that's not what it's really all about. It's the Ontario—

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** It's in the budget.

**Ms Churley:** Yes, it was in the budget too. Your Premier said he wanted to bring this forward in answer to a question I asked one day. Furthermore, my name and the name of the bill were mentioned in your government's budget. Today this bill somehow gets caught up in silly negotiations around who gets what.

Again, I want to make it clear that there shouldn't be horse-trading over bills where there are problems. If any party disagrees with the content of a bill and feels that it needs to go out for hearings—as does this bill, the bill I'm speaking to tonight, Bill 148, the Emergency Readiness Act, 2002—then nobody should have to negotiate away any bill that they have concerns with. But there

were bills on the table that I'm aware of from all three parties from private members that we all supported, and those bills should have been, could have been, supported tonight.

Coming back to this bill before us tonight, I regret to say that I'm not in a position to say I can support it. I know the government wants it supported and wants to push it through, but we do have concerns about it and it really should go to committee. I think quite frequently, when opposition members hold up bills and demand committee, there is good reason for it. For instance, if Bill 3 were not going out to committee, even I, the author of this bill, would want to send it out to committee because I know it needs some scrutiny. I want to hear from the experts in the field. I want to hear from environmental lawyers and community people, the people of Walkerton, municipal leaders, all of the people whom this will impact. I want to hear what they have to say. I'm sure that the government would want to hear what those affected by this bill have to say.

As for Bill 77, I'm sorry that it got caught up in all of this because we went to the wall in the last sitting. We went to the wall and wouldn't allow any other bills to pass, although some we wouldn't allow because we had problems with them; there's no doubt about it. But we stood firm because this adoption disclosure reform is so critical for thousands of people across the province, some of whom have been fighting for this since the 1970s. We know that only a few people are opposed to it and yet we can't get it passed.

I must tell you that I wasn't surprised that we couldn't get it through today. I will keep trying, I will be back and I know that my caucus will support me on it. But what I don't want to see happen is every good piece of legislation that comes before us in this Legislature, that we all agree on, getting held up in silly negotiations on the last day, with big egos involved, and at the end of the day, nobody gets anything.

Do you know what? We're not the losers. We all go off on our—well, I don't know about you, but I'm not really going on holidays. I've got a lot of work ahead of me. But we all leave here tonight and we go on with our lives and there are lots and lots of things happening. I will move on and go on and I will keep struggling. I don't know what the government plans to do with this bill now. But the losers are the people of Ontario. We're here. This is not a joke. This is really serious. That's why, to be sincere here, it's very seldom in this Legislature that we do this, but at this stage of my life, what I want to do is not—yes, I want to have fun and enjoy what I'm doing, but I want to serve the people of Ontario. I want to be able to do things that matter, that make a difference, that make a change for the positive. I would think that most of the members here would agree with that.

So in closing, I don't know if the House leaders are watching. One is in the chamber tonight. I'll speak directly to the other House leaders. I would ask them to get back in here tonight and stop playing games around



Bill 3. I know that we're not going to get Bill 77 passed today. I understand that there are members who have serious problems with it, and I know over time I will change their minds. I will keep working on it. But it will happen, believe me. It will happen.

As for Bill 3, the Safe Drinking Water Act, it is incumbent on all of us tonight, before we leave this chamber—let's leave, dare I say, with our heads high. Let's leave here having gone forward with a promise that the Premier of this province made shortly after he was elected and, indeed, included in his budget speech. We don't know when we're going to be back here again. I don't know when the Tories are going to recall the House. The clock is ticking.

We have a good bill in Bill 3. A lot of serious work went into it. It should not be a part of these negotiations that went on today. I know House leaders are mad at each other and some are mad at me, but that is beside the point. I think that we still have an opportunity tonight to do the right thing. I notice that the government whip is here. I'm sure there will be unanimous consent to bring Bill 3 forward and for bringing forward Mr Duncan's private member's bill, which I personally support very strongly. I think the faster we get out there on that committee, the better.

There are some government bills that I think should be and could be brought forward tonight. I don't mean this one. I have problems with this bill and I want it to go to committee. But there are some private members' bills that I personally support. I just don't like this kind of game playing that holds up bills that are of benefit to all the people of Ontario, bills that we all can support and all do support. So I would ask that the House leaders get in here and let's get Bill 3 on the road tonight. Let's get the select committee on health and the environment out. Let's get some of the Tory private members' bills out.

**The Acting Speaker:** Comments and questions?

**Mr Murdoch:** I want to thank the member across for probably one of the better speeches she has made in here. I totally agree with her. She mentions a lot of things—and I guess you and I have been here about the same length of time and we get sort of used to this, but it's not a nice thing to get used to because this seems to happen every time we adjourn our House; we get into these little squabbles.

I agree with you. I was sort of proud that our party mentioned your bill in our budget. I thought that showed a sign that we were maybe getting along with the other parties, and that's good because this place never works right unless we do. As you say, your bill is for everybody across Ontario, not just for yourself.

I also have a bill—and it's not as important as your bill, I'll admit that, but it's the marriage commissioners. We need them all across Ontario, up north, in rural Ontario and I'm sure here in Toronto. It has gone to committee. We had committee hearings, two days of debate, and then we had a day of clause-by-clause. It wasn't a big bill, but we did that. It's back in the House and unfortunately it doesn't look like we're going to get

it through either. I know the Liberals have some good bills. I just wanted to say that I was pleased to hear what you said today because you told it like it is and maybe somebody will listen to us before the night's over.

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**Mr Dwight Duncan (Windsor-St Clair):** Well, this House leader is in the House, has been in the House and has been listening to you. I would like to say a couple of things. First of all, there was agreement between the government and the official opposition with respect to Bill 3, with respect to a number of other private members' bills, with respect to the resolution I put forward this morning. The position the member put forward now is different from the position that her House leader put forward, which is that unanimous consent on Bill 77 would be required. Now the government, unfortunately, did tie your bill into that.

I've suggested that other opportunities can happen and I've just suggested to the government House leader that possibly we could send Bill 148 to committee right now for a day or two of hearings, to allow the third party to put positions, to allow us to put whatever amendments, provided we agree to bring it back first thing when we come back in September and therefore allow a break in this log-jam.

I think we all regret—and I must say that I felt the government was reasonable in its request. They offered what I thought was a reasonable offer to both opposition parties. If you're reflecting a change in your House leader's position, I think we can possibly break this log-jam. I would suggest strongly to the government whip and the government House leader that this party, the Liberal Party, would certainly support an opportunity to move Bill 148 into committee now to allow for a certain amount of hearings, whether it be a day or whatever, and we would agree to give it speedy passage upon resumption of the House in September in exchange for your very important bill. Ms Churley's worked very hard on Bill 3. I know that she'd be disappointed about Bill 77, as I would be. I attempted to get it passed today. But I think that would break the log-jam and hopefully that can happen.

**Mr Bisson:** I want to echo many of the comments that my colleague made, because quite frankly she's right to an extent. Far too often in this Legislature members bring forward in good conscience, good faith, private members' bills that they feel strongly about—they're trying to do something on behalf of a constituency or constituents—and far too often many private members' bills—the vast majority of them unfortunately, both bills and motions—don't get passed here. So I hear her call, and I think it's a call that we all make as members of this assembly, that we have to have a process by which private members' bills have easier passage.

Bill 77 I thought was rather unfortunate. This is like her third bill; I'm not sure, Marilyn, your third or your second bill? Mr Martin has had this bill in the House before. It's a bill that many stakeholders have called for, many people have wanted to get passed. Unfortunately,

when the House leaders met, the government said, "What do you want?" The process was that the government said, "Here's what we want," including Bill 3. They asked the opposition what they wanted, which was their two bills—Mr Dwight Duncan's bill and Mr Bradley's bill—and asked what we wanted. We wanted Bill 77 and the government said, "No, you can't have it."

Unfortunately, we get caught up in that situation where a government, by way of its majority, basically doesn't allow many private members' bills to go forward. So as parties we're left in the unenviable position after that of saying, "All right. They're not allowing our bill to go forward." It's a bill that Marilyn feels very strongly about. We know how passionate she is on it. She's been advocating for this bill for a long time. And other bills get caught up in the interim, in this particular case Mr Wettlaufer's and others. So I think she's right. We need to have a process to be able to deal with private members' bills and we need to figure out a way to make that happen sooner rather than later.

As far as what's happening with the House leaders and the whips, I can just say that we certainly are more prepared to allow Bill 3 to go to committee. We don't have a problem. Obviously it's our bill. Unfortunately the government didn't call it, could have brought a motion today and didn't.

**Mr Wayne Wettlaufer (Kitchener Centre):** It was very noble talk from the member for Toronto-Danforth, and I appreciate what she was saying, but I think she should also realize that it was not just the government that was holding up passage of bills. We also had a bill that was non-controversial, that was debated in this House on December 13, the Nikkei heritage bill, and the NDP held it up at Christmastime. Once again today the NDP held up passage of it. I stood up, asked for unanimous consent for passage on third reading today and again the NDP held it up. So, Speaker, I wanted you to know that for all this noble talk from that corner over there, they should realize they're as guilty as anybody.

**The Acting Speaker:** The member for Toronto-Danforth has two minutes to respond.

**Ms Churley:** I'd like to thank all the members for their comments. We're back a bit into the blame game. What I'm trying to say here is, let's stop that tonight—except for the member for Bruce-Grey-Owen Sound, I believe.

What I'm saying is that Bill 3 shouldn't be part of those negotiations. I don't know how they entered into it. Think about Walkerton.

**Mr John Hastings (Etobicoke North):** Oh, please.

**Ms Churley:** He says, "Oh, please." That's what Bill 3 is all about, for heaven's sake. I wrote Bill 3 as a result of people dying in Walkerton and over 2,000 people getting sick. In response to that, Mr Eves, your Premier, said it was a good bill. Mr Harris did not support it, but what I'm saying is that your government already said we were going to go forward with committee hearings on Bill 3.

I ask people again, stay away from the blame game right now. Think about what your Premier promised and

the fact that Bill 3 should not have become part of those negotiations. We were this close to having a motion brought forward to allow that committee to go forward in September. I think that was what we had finally worked out. In fact, the environment minister, myself and my House leader worked hard, along with the official opposition, to—

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** You didn't tell the truth, that's the problem.

**Ms Churley:** Chris, I'm trying to stay away from the blame game here because what I'm talking about is that Bill 3 should not be part of these negotiations. You're the environment minister and you should care just as much as I do about this bill getting out there for committee hearings. I ask you again to stand up and make a motion so it can go out to committee.

**The Acting Speaker:** Further debate?

**Mr Ernie Parsons (Prince Edward-Hastings):** It is indeed my pleasure to stand and speak to Bill 148, the Emergency Readiness Act. In my short time here in the House I have learned that, try as it might, sometimes the government misses a target by a lot. An example of that would be Bill 58, the Hydro One act. Sometimes it gets very close, like Bill 81, which had a lot of good sense to it but which Dalton McGuinty and the Ontario Liberals were not able to support because it really didn't protect water as well as it could have and left farmers, who were having a very difficult time, out on their own with no financial assistance.

Sometimes they pass good legislation that is absolutely bang on what's needed. I can think of yesterday when the House passed the bill that protects children from sexual exploitation. However, I then realized, once I put it down on my list of good legislation, that in fact it was a slight modification of a bill put forward by our member for Sudbury, Rick Bartolucci.

Dalton McGuinty recognized immediately that this bill was required. It was a reaction to September 11, and good for the government for doing that. But Dalton McGuinty put forward amendments that would have provided some financial resources to the municipalities to make it actually happen. It's no good to make plans and it's no good to talk about being ready for an emergency if there are not finances there to be ready for the emergency.

I would suggest there's a pretty good example of how unprepared this government is for an emergency and how little they recognize the crossover from ministry to ministry, and from municipalities to school boards to the provincial government. Certainly, in my riding—and I suspect in a lot of Ontario—the government funding formula for schools has produced such cutbacks that we have schools in this province, predominantly rural schools, that have no principal, no secretary and no custodian in the building.

Right now I'm ashamed to say that if there's a family emergency affecting one of the children in our community, they phone the school and leave a message on an



answering machine. That may be 1:30 in the afternoon. That message may get picked up at recess, if the teachers aren't outside with the students, or it may get picked up at the end of the day. That means that in the event of a significant disaster or a significant crisis in all of Ontario or in one specific community, if the schools were phoned, the police or the school board officials, whoever is involved, would have to leave a message on the answering machine to be listened to an hour or two hours later.

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The government should be ashamed that it has come to this, that there is no way to have direct contact. If they're concerned about safety in a school, there needs to be a gatekeeper. Whether it be a custodian or a principal or a secretary, there needs to be one available in each school, because the teachers are naturally in the classroom. Someone is free, unfortunately, in some cases, to come into some of our smaller rural schools and wander at will in the hallways or in other rooms. So if we're interested in security, surely security of our students should be the number one obligation. The rhetoric has been good about being concerned about children and the rhetoric has been good about being concerned about safety, but there has been no action.

One shouldn't judge a government by its rhetoric; one should judge a government by its actions. People in Ontario have now had since 1995 to judge this government's actions regarding a lot of issues, but specifically this evening regarding emergency preparedness. What is this government's commitment to being ready for an emergency? I would suggest that one of the major players in being ready for an emergency would be our police forces. In fact, I will focus on the Ontario Provincial Police in eastern Ontario.

The OPP need to be dispatched to their calls, for reacting to a call or reacting to an emergency, from a dispatch centre. The OPP have decided that it is in their best interests and the best interests of the people of Ontario to have five dispatch centres in all of Ontario. Three of them have been up and running for quite a number of years now. It's probably mere coincidence that the three that are up and running are all located in ridings that are held by members of the Progressive Conservative Party. It may be a coincidence—maybe I'm a little cynical and skeptical.

For people in northern Ontario who are served by the Ontario Provincial Police and for people in eastern Ontario served by the Ontario Provincial Police, they are utilizing a radio dispatch system that is between 25 and 30 years old. Let's put that in perspective. The desktop computer is only about 20 years old. The OPP are using radio systems that were designed and put in place 10 years earlier than that, 30-year-old radio equipment. We're moving so fast in technology now—we had beta, we had VHS, we have DVD, MP3 players. I don't understand it all, but I know we're moving at a rapid pace. But for the people in northwestern Ontario and eastern Ontario, they're using 30-year-old technology. There are

significant numbers of police officers using radio technology that was in place before they were born. That is absolutely unforgivable in today's climate.

The government recognized that this equipment needed replacing. I became aware in 1999 that they were looking for a site in eastern Ontario. In the beautiful riding of Prince Edward-Hastings, there was a brand new OPP station built—it was called the Quinte detachment—that was built at the intersection of Highway 401 and Wallbridge-Loyalist Road, a brand new building, state of the art, the best of everything. Very shortly after it was built, the government cut the OPP loose and said to municipalities, "You've got to amalgamate and you can do whatever you want for police forces." The local municipalities chose to go with the municipal forces and expand them. So now we have a brand new state-of-the-art building that's about a year and a half old. The Ontario Provincial Police had no need for it and closed it.

However, the OPP were also very aware that they needed a new centre for radio communications and they identified some criteria—the OPP did; not the politicians, not the Ontario Realty Corp, but the Ontario Provincial Police. They identified that the building had to be one storey. That's what it is. It had to be located on a main highway. The 401 is as main a highway as you'll get. This government will probably download it if they can find a way to do it, but at the moment it is still an extremely major provincial highway. In fact, the volume of traffic between Windsor and the Quebec border is probably the highest anywhere in Ontario, potentially in all of Canada. Certainly it's a significant road.

The building had to be equipped with a backup generator, which it was. It had to be accessible to the telephone trunk lines that exist in Ontario, and certainly a corridor runs along Highway 401. So it met every criterion. The OPP and Bell Sympatico, which would be providing the radio service, looked at it and said, "This is the ideal site."

For some reason, though, when the politicians got involved, they decided that it was not an ideal site because it unfortunately had the problem of being located in a Liberal riding. I guess there's probably a similar situation in northern Ontario, where the ridings are held either by members of the New Democratic Party or by the Liberals. So they decided, "We'll look for a nice, close location that will kind of match this area." Ads appeared just in one area, and that happened to be in the Perth area, to find a new location there. They advertised. No building was put forward. No building was found to meet their criteria. I was somewhat relieved, because I felt it was important that, though the centre may not necessarily go in the riding of Prince Edward-Hastings, it is important from a safety and security viewpoint for the people of Ontario, for the people of eastern Ontario, for our citizens, for our police officers, that they have state-of-the-art equipment.

I thought, "Things would move fairly rapidly forward now to get this in place." I met with the Solicitor General, who said, "As you know, a radio centre can go

anywhere," and I agreed with him, a radio centre can go anywhere. But he said, "There will certainly be advertisements made, requests for proposals to determine interest in all the areas that could potentially host a site." That was fine. I knew that this particular OPP station would meet the criteria and would certainly be a strong candidate. Nothing happened. Nothing happened.

Now, think about that in terms of a government that says they are absolutely committed to emergency readiness. To my surprise, to a lot of people's surprise, about a week and a half ago an ad reappeared looking for a site for the eastern Ontario OPP radio communications centre, but it must be located in Lanark county within a certain town. I think it's within five kilometres of Perth or Smiths Falls or on County Road 43 running between the two.

I thought about the criteria. One criterion is for a one-storey building. Local realtors have assured me that there is in fact no building in those communities that meets that criterion at this time. That doesn't prevent one from being built. But at the moment we're comparing a one-storey existing building with a zero-storey. The former OPP Quinte detachment building is paid for. The people of Ontario bought it and it is sitting there empty. Realtors have indicated to me to rent the equivalent floor space in the Perth-Smiths Falls area would cost approximately a quarter of a million dollars a year, plus the request for proposal says the government will pick up the additional costs, like the emergency generator and things that may be involved with parking and so forth.

The OPP requirement—and I believe it is fundamentally wrong for politicians to interfere or dabble in police forces—is that the station be on a main highway. So now we have Highway 401 and we have County Road 43. I would suggest again that it tends to favour Highway 401 as being a major highway.

In addition to the building, the government will pay for a backup generator. It already has a backup generator.

Bell Sympatico wants it located where their major trunk lines are. From what we can determine, the major trunk lines are along the 401, not along County Road 43 between Perth and Smiths Falls.

Here we have an example of the rhetoric being, "Let's get the radio centre going." The actuality is, "We're going to wait, because it has to go in a riding that is held by a member who sits on the government side."

Interestingly, when we first became aware of this ad in the paper, we contacted the Ontario Realty Corp and said, "We understand you have a request for proposals out." This would be on a Tuesday, because the ad had been in the paper the previous day. They said no, they had not been involved in placing this ad and they weren't sure. What is even more dismaying is the Ontario Provincial Police, the users of the services, were not aware that Ontario Realty Corp had requested that a real estate firm put out a request for proposals. The OPP didn't know there was action happening on their dispatch centre.

1950

It concerns me that as we put through legislation such as Bill 148, it produces a sense of security among the

population that the government has everything under control, the government is going to put things in place, when in actual fact their track record hasn't borne witness to it. When we start to put political interests ahead of operational interests for our police force, there is something fundamentally wrong.

Democracy is a very fragile creature. I watch with dismay as fewer and fewer of the population take part in democracy through voting. There has been such a supreme price paid by so many individuals over the years to preserve democracy, and when I talk to individuals who don't vote and will even say, "I don't vote," all too often it's because they think their vote doesn't really matter and they don't trust politicians.

When the government chooses to play a little game of locating a police service, not where it should be operationally, but where it should be from the viewpoint of their political advantage, the people in eastern Ontario see that. And a few will write letters to the editor and a few will change how they vote and a few will phone call-in shows, but they're the tip of the iceberg. There will be dozens or hundreds of thousands of others who join the cynical group that says, "There's no point to voting. The politicians aren't going to do it right." When we see safety thrown aside for political favour, then we reinforce that loss of democracy that citizens are sensing.

This bill is nothing but rhetoric. The government would do well to put some actions behind it. The proposed amendments by Dalton McGuinty would provide some financial resources to absolutely make things happen. I can't foresee, and I suspect most members in here can't foresee, a need to be ready for a major disaster or a major attack in Ontario, but absolutely no one foresaw what was going to happen on September 11. We've learned we're in a new world where we have to be ready for literally anything, and so I would urge that the government deliver some actions rather than just rhetoric. Take the bill and recognize the need to make it workable. But more than that, rethink what they can do to make the people of Ontario safe.

In the beginning, I touched on where we have schools with no one in the building other than the teachers and the students. If you want to be ready to protect the students, if you want to be ready for a disaster, then fund them. Fund the schools.

It seems so strange to have to stand here and make a statement that schools need principals. Before 1995, no one would ever have envisioned that request having to come forward. We're now saying and begging you to recognize that schools need principals.

Schools need custodians. Your magic formula that provides for someone to come into a school before it opens and then return in the evening and do some of the cleaning doesn't recognize the reality of rooms full of children and doesn't recognize the reality that there are some evil people in this world who will come into a school and do unspeakable things—who will hide in washrooms and attack our children. I cannot, and you cannot, put a price on what needs to be spent to protect our children from predators.



By the same token, every citizen in Ontario is entitled to know that if they phone the OPP, they will have complete assurance that their call will be responded to, that there will not be a police car located in an area where radio signals are not accessible. They also need the assurance that this government is acting in the best interests of the public, not in the best interests of the members of this Legislature, not in the best interests of their party.

Although we may play games here, this is a very, very serious game. Whatever games we play should be focused on making the people in Ontario win. They should never lose so that someone in here can win. They should never be put at risk so that a member can look good for re-election. It's so fundamental that it disappoints me to have to say it.

People say to me, "What is your experience here?" I say, "I sit with 102 other honourable members." Do the honourable thing. You all came here to do the right thing. Don't get involved in partisan politics where safety is concerned. Don't interfere with the Ontario Provincial Police. Let the best location for anything we're doing for emergency preparedness be based on the best operationally and the most effective.

The people of Ontario, in the case I referred to, should not have to pay a million dollars for a new building and then continue to pay \$250,000 each year. The \$250,000 the government wants to channel toward rent can be used for—we're all aware that senior citizens in long-term-care homes in this province get a bath once a week. That \$250,000 would be better directed toward long-term care, toward support for farmers, toward education, toward getting doctors into Ontario. There are so many urgent, crying needs for the funding in Ontario. Don't throw it away on one spot just for cheap politics.

**The Acting Speaker:** Comments and question?

**Mr Bisson:** Thank you, Mr Speaker—

**Mr Marchese:** Downloading is bad.

**Mr Bisson:** Downloading is bad. There's just no other way of cutting it when you take a look at what the government is doing by way of this bill. It's another one of those bills where they're saying, "Let's look good in the eyes of the public and do something that's positive when it comes to beefing up emergency measures." Nobody in this House disagrees with the principle, but what they're doing is saying, "We're not going to do it; it won't be the province that does it. We're going to force municipalities to do it through their emergency measures people—police, firemen and others—and at the end of the day we're going to make the municipalities pay. Are we ever clever." There's really no other way of cutting this bill. It's just another example of this government that says one thing and does another. It says, "We want to do something positive. We want to beef up emergency measures." Everybody in Ontario, including the two opposition parties, come into the Legislature and say, "Great thing; we love it. But where's the beef?" If you're going to say the municipalities have got to do that, the province as the senior level of government has to cough up the money.

It reminds me a little bit of the argument the government makes when it comes to the federal Liberals on the issue of health care. They come into this House whining. You hear them whining all the way into the Legislature: "Oh, God, the federal government's not giving us enough money to pay for health care." We tried that when we were in government, about the Fair Share health care levy, and what did the Mike Harris of the day say? "Oh, you're just whining." So now they come in and whine and say to the federal government, "It's not right for you to transfer all this on to us. We pay the burden of health care costs and basically we get no money." But you've got to practise what you preach. If you're going to complain to the federal government about transfers we're not getting, don't start offloading your responsibilities on to the municipalities and say it's OK, because here is a New Democrat who's saying it's wrong. If we're going to deal with emergency measures, let the senior level of government pay for it. At the very least, transfer the money to the municipalities so that at the end of the day they've got the bucks to pay the bill.

**Mr Wood:** I thought the member spoke well. I was intrigued by some comment from a number of members tonight to the effect that the system with respect to bills at the end of the sitting doesn't work very well. I do want to briefly commend to members the motion I have on the order paper, so that in the fall we might change the system and have a mechanism in our standing orders that will deal with that kind of problem.

**Mr Kormos:** What's particularly interesting, in view of the rather late-night debate that's taking place around Bill 148, is that last night the minister came charging in here all "heck bent for election," as they say in some parts of the province, insisting that this bill have second and third readings. I stood up and praised that minister in a way he hadn't been praised in a long time. I spoke well of him. I commended him, among other things, for being a part of that old school that understands that ministers or their PAs should accompany their bills through debate. You notice, that doesn't happen a whole lot with the young Turks, if you will, in this revolution—not that the revolution is necessarily still alive and well. It seems to me that Che has been sent to Bolivia to be pursued by the CIA. It could well in fact be over. Notwithstanding that, the minister and/or his parliamentary assistant, who is here, has the same passion about this bill receiving second and third reading.

**2000**

Clearly, this government wasn't even interested, still isn't interested, in seeing this bill go out to committee during the summer months. What a remarkable change in position from last night to tonight. One has to wonder, really, what happened. New Democrats called for committee for this bill. The Ontario Professional Fire Fighters Association and its membership want to see this bill go to committee. And I imagine there would be a whole lot of community leaders who would like to see this bill go to committee and would like to see it thoroughly debated as well. New Democrats will make sure of that.

**Hon Mr Baird:** I listened with great interest to the member for Prince Edward county. I do like Lanark county—I think it's a good part of the province—as I do Prince Edward county.

**The Acting Speaker:** The member for Prince Edward-Hastings has two minutes to respond.

**Mr Parsons:** I'm just checking the ridings. I would like to thank the member for Nepean-Carleton. I know he spends some time in Prince Edward-Hastings, and I have arranged that your money is at par while you're down with us. So it will be fine.

**Mr George Smitherman (Toronto Centre-Rosedale):** Why, is there a winery there?

**Mr Parsons:** There is a winery there, yes. In fact, there will be another one this fall and another one the year after.

I also want to thank the members for Niagara Centre, London West and Timmins-James Bay for their comments.

I was pleased to hear that the member for London West appreciated what I said, because I think it really is just common sense. You will never buy something as cheaply as something you already own. The people of Ontario own an abandoned brand new police station that meets every criteria for it.

**Mr Smitherman:** Every one.

**Mr Parsons:** Every one. It is the centre that was selected by the Ontario Provincial Police. As responsible politicians, the instant the OPP said, "That's the centre," the politicians should have said, "We're out of here." This is not a matter for the Ontario Realty Corp to get involved in; this is not for the board of management; this is not for individual members.

**Mr Smitherman:** What has Doug Galt done about it, from Northumberland?

**Mr Parsons:** There are municipalities in the member for Northumberland's riding that have passed motions of support for it to be located there, because it's just common sense. We have a building that meets every need. It could have been in service three years ago. It hasn't been. Don't delay any longer. We do not ever want to read in the newspaper or stand in this House to remember someone who lost their life because the radio system in eastern Ontario or northwestern Ontario failed. Move now. If you're really interested in security, move now. Make the decision; get it up and running. The people of Ontario deserve nothing less.

**The Acting Speaker:** Further debate?

**Mr Bisson:** I am pleased to put a couple of words on the record for this particular bill. I want to say right from the outset as a New Democrat and as a member of this caucus, we support, quite frankly, the direction this bill is taking. So let's just say right at the beginning that what the government is trying to do—this bill has a number of components in it that are positive steps, about how we're able to beef up emergency measures in order to make sure that if you do have some type of disaster in the future, there are better means to deal with those issues that come out of that disaster. I again want to say right up

front that I agree with some of the direction that this bill is taking.

The problem I have, and I raised this in the two minutes I had earlier to the speech that was made by Mr Parsons—I don't remember his riding—who basically said, "Listen, here we are as members of a senior level of government," in this case the provincial government, "saying we want to do something right. We want to beef up emergency measures. But, oh, we're not going to do it. We're going to tell municipalities, who are responsible for emergency measures, those people who run ambulances, fire services, who run police services and others, 'Here's what you have to do by prescription through the law,'" which is probably not a bad thing in itself, if there was money that was coming from the senior level of government to the municipalities to help offset this new responsibility we're downloading to them.

I say to the government across the way, kudos for trying to do something good as far as emergency measures, but ix-nay on you when it comes to not dealing with giving them the resources to make sure they can do those new responsibilities that you're downloading on to them. I want to make that point right up front and I want to make that point clear.

So yes, this particular caucus wants this bill to go to committee. The reason we want it to go to committee is because we want to make some amendments that address a number of concerns, the first concern being that we need to make sure we give the resources to the municipalities to be able to do the job that we're asking them to do.

The second thing is—and before I get to another issue I want to get to the committee—the old issue of going to committee in itself. I think this is rather important to state, because most people who were not in the Legislature as members or staff here won't understand that once we finish this bill tonight—and I predict with all confidence that this bill will achieve second reading tonight. Members probably within the next half-hour to hour will sit down and there will no longer be any debate. This debate will collapse and the government will get second reading of the bill. That's good; not a problem.

Here's the problem: the government House leader ordered this bill into the House tonight but failed to bring a motion earlier this afternoon that would have given them the ability to deal with sending this bill to committee. We have no motion now to send it to committee. So I'm saying, how serious an attempt do we have on the part of the government House leader to send this bill off to committee to really deal with the issues if he didn't bring a motion to refer it out to committee in the first place?

What we have is, I guess, a bit of an appeasement to Mr Runciman, who is the Minister of Security and everything else, to basically say that he got second reading of his bill. I have to believe and I have to suppose that later on this fall, when we come back to the Legislature for the fall session, the government will refer this bill out to committee in order to do public hearings. The



problem we have in the intersession is that the House has not given any direction for that committee to sit, and unless we do that by motion of the House, the only other way we can do it is by unanimous consent or to find some other mechanism when we get back in the fall by way of a motion in this House. So I make the point: if the government was very serious about trying to get this bill out to committee for passage, I think the government quite frankly would have put a motion to refer this out to committee so that this House could have dealt with it and referred it out when second reading was done.

Why did the government order the bill up this way? I think it's very simple. They're going to come back in the fall and they won't refer this to committee, more than likely, unless there's a lot of pressure put on by firefighters, police officers and others who demand committee hearings, and they may get heard by this government. So this might change. But at this point I think the strategy of the government is very simple: once the bill collapses at second reading debate, we're going to get a time allocation motion to push it to third reading. I predict that we'll come back in the fall and we'll have a one-day motion debate to refer this bill for closure so that you get third reading immediately and this bill is going to pass some time in the fall.

Again, I want to say outright, there's still a chance that this bill could go to committee. That's why our caucus will continue to try to pressure the government to do that, because we think a number of voices have to be heard on this bill, and you'll hear from one in a minute. But unless firefighters, emergency response people from the ambulance services, police and others put pressure on this government, quite frankly this bill will not get to committee. So I'm urging all those people who are going to read this debate in Hansard and all those people who may be watching or will see the reruns on Sunday, if you want this bill to get to committee, pick up your pen, write a letter, send a fax, send an e-mail to the minister responsible for security and the government House leader, along with the Premier, asking for committee time, because if you don't, my prediction is we're going to get a time allocation motion and we'll be dealing with this motion by way of a time allocation motion in the fall. I want to say that straight out front.

**2010**

One of the other voices I talked about—there are different voices that speak to this bill—that generally supports the direction of the bill but has some problems is the Ontario Professional Fire Fighters Association. I made reference to this letter earlier and I just want to read for the record this particular letter. It's addressed to David Turnbull, who was the Solicitor General. I'm wondering, quite frankly, if Mr Runciman ever saw this particular letter that was put forward by Mr Fred LeBlanc, who was the executive vice-president. I don't know. I can't believe that Mr Runciman would have come forward with his bill in this way if he had seen this letter. We all know Mr Runciman to be a friend of firefighters and other emergency response people, so I have to believe he never saw it. I want to read the letter:

"December 8, 2001,

"The Honourable David Turnbull," then-Solicitor General.

"Dear Minister Turnbull:

"I am writing to you today with respect to the legislation you introduced in the Legislature on Thursday December 6, 2001. Bill 148, the Emergency Readiness Act, 2001, is a good first step and opportunity for making the citizens of Ontario safer." So he, like New Democrats and others, agrees that this is a step in the right direction.

"By ensuring that municipalities must have emergency planning in place will force long-overdue inventories of our emergency services and their effectiveness to respond to large-scale incidents." So, like us, he sees something positive in this bill.

"However, my disappointment lies in the fact that this legislation is lacking in enforcement mechanisms for municipalities that do not comply." Why is it that the government does not put in enforcement mechanisms? Because they're not transferring the cash over. If they wanted to make sure there was enforcement, they'd be transferring the cash over to the municipalities in order to make this happen. So, basically, by way of this letter he's saying, "If you don't give them the cash, it's going to be hard for municipalities to do this. You've put in the legislation that there are no enforcement mechanisms to force municipalities to do what the province is asking, so therefore we're back to the status quo. He has some very serious reservations. I think that's a pretty large flaw in this bill and one of the issues we have to deal with when we get to committee. He goes on to say, "As well there is no authority given to a 'body' of the government such as Emergency Measures Ontario to obligate a municipality to have minimum response requirements given their risk assessments."

He's speaking to that issue we've all talked about in this Legislature. For example, do we have enough staffing and equipment etc to deal with proper fire services in our communities? If we're saying that we want to have these people do a better job, we've got to make sure they've got the equipment and the staff. He's saying in his letter that there's nothing that obligates municipalities to have minimum response requirements, given their risk assessments—possibly not enough police; possibly not enough ambulances. How are you able to make sure you can respond to a disaster if you don't do an inventory of what you've got in a municipality in order to determine what you can respond with, should there be an emergency?

I would argue that a lot of municipalities probably do have what they need to respond to emergencies—some—but there are many that don't, and that's what he is speaking to in this. In fact, where I come from, Timmins-James Bay, I've got communities that don't have ambulances. It's hard to believe that in this year, 2002, you'd have municipalities that don't have ambulance services. But places like Ogoki Post, Peawanuck and others don't have ambulances, and I've got communities where they've got ambulances but they have nowhere to park them.

Fort Albany's a good example. We have an application now before the Ministry of Health to fund the building of an ambulance garage to house our ambulance. We've got a brand new ambulance up there, an emergency response vehicle, and we have some people who are trained to use it. If there's an emergency in winter—I'm telling you it's cold in winter in Fort Albany; it's like 40 below and 50 below—they can't get the ambulance started because it's frozen even if it's plugged in, and by the time they get the ambulance going, a person could have frozen to death on the road. In fact—this isn't a joke—we had a case where I was up in a community in February or March sometime—I forget the exact date—and there was a gentleman who had a heart attack and fell on the road. People called for the ambulance to come over, and they couldn't get the ambulance going, so they threw the guy in the back of a pickup truck and drove him to the hospital—it's not even a hospital—drove him to the first aid station in Fort Albany. Imagine if nobody had been around with a pickup truck to pick him up. The man could have frozen to death before he was treated for his illness. So I say yes, we do need to take inventory of our equipment in this province to make sure we can even respond, in some cases, to the most basic of needs.

I urge the government, on the Fort Albany issue, to fund for the request that has been put forward by the James Bay General Hospital and the band council of Fort Albany, along with Chief Mike Metatawabin and others, to fund that garage. We have a wonderful opportunity right now, with the tragedy that has happened in the community with the burning of the old residential school, where we're going to have to rebuild a complex of some type to house a band office, the NAPS officers etc, and at the same time put in this particular ambulance facility. There's a really good opportunity to do something, so I urge the government to move that way.

He goes on to say in his letter, in the fourth paragraph, "For this legislation to truly succeed in its intent to make the citizens of Ontario safer within their communities, the communities must be obliged to produce an appropriate response." That's what I was speaking to earlier, when I talked about what happens in Fort Albany, where they have a hard time trying to respond to the emergencies that happen in the community and just regularly trying to respond to the needs of the community because they don't have the equipment.

My good friend Peter Kormos was with me last summer or the summer before. We toured a number of communities up in James Bay in order to look at their police services. In Attawapiskat, for a good example, we've got a situation where they've got a boat for the police officers there, the NAPS officers, because they have their own policing under the Nishnawbe-Aski police program, and there's no motor to put on the boat. So if somebody were to fall through the ice in the fall, or fall out of a boat, and NAPS officers or volunteer firefighters had to go out and try to rescue the person out of the Attawapiskat River, how would they get there? Push the boat out with a stick? They don't even have a motor to put in the back of the boat.

They've got a holding facility there that they call a jail that is very substandard and, I would argue, dangerous for people who are being held there. So I say that yes, I agree with the Ontario Professional Fire Fighters Association when they say, "For this legislation to truly succeed in its intent to make the citizens of Ontario safer within their communities, the communities must be obliged to produce an appropriate response."

In the case of Attawapiskat and others, we need the federal government to step up to the plate, because it's their responsibility to fund some of these things and to help us, the province, make sure we have the money to do that so that we have proper ambulance services, so we have proper policing services, so we have proper fire services.

I'll give you another example. In the community of Peawanuck, a fire happened in a home. I don't want to go into describing it, because it was quite tragic. But there was no fire response in that community, and as a result of that fire there was a tragedy. I just say to the government that I agree with the Ontario Professional Fire Fighters Association when they say we need to find a way to oblige communities to produce an appropriate response to emergencies that happen in a community.

Then Mr Fred LeBlanc, executive vice-president of the Ontario Professional Fire Fighters Association, goes on to say in closing, "On behalf of the 9,000 members of the Ontario Professional Fire Fighters Association, I respectfully request that you submit Bill 148 for extensive public consultations and hearings."

That brings me back to my first point. We, as New Democrats, agree that there are some good things in this bill. We're prepared to work with the government in order to fix this bill so it truly does what the government intends that it do. But you've got to refer it out to committee this summer so that we can deal with it. One of the ways you could have done that this afternoon would have been to introduce a motion to allow the committee to sit so we could have dealt with this bill. I very much fear, because you haven't done it, that this bill will pass second reading—bravo—but we're going to be no further ahead tomorrow morning than we were yesterday or this morning. The bill will not get referred to committee and we'll come back into the Legislature this fall, at which point I think the government's going to come with a time allocation motion, unless—again, I want to preface this—firefighters and everybody else come together and say, "Listen, we want extensive public hearings on this particular bill," and they lobby Mr Runciman. We know Mr Runciman is a friend of firefighters, police officers and others, as my good friend Mr David Christopherson was when he was Solicitor General. In fact, when Mr David Christopherson was the minister, he was probably the best Solicitor General we've ever had. I've heard that said a number of times.

This is what the firefighters are saying when it comes to wanting to have public hearings: "This will allow for proper dialogue and input to occur from the emergency response agencies responsible for delivering these ser-



vices and from the citizens we are protecting.” I urge the government to heed the advice that is being given by Mr Fred LeBlanc from the Ontario Professional Fire Fighters Association. Allow this bill to go off to committee, to do what’s got to be done.

We, as New Democrats, support the direction the government is going with this bill. We think it needs to be strengthened at committee, there’s no question, and that a good amount of time in committee—not an excessive amount of time, but a good amount of time—would allow members of this assembly to deal with the bill.

**2020**

In the last four minutes I have, I just want to relate this to an issue that I think is important, and that is how this House doesn’t work. Earlier today my good friend Marilyn Churley got up and talked about how sad it is that we end up in these situations where members put forward private members’ bills that don’t get passed. I am one who has advocated that we need to make changes, not so much to the Legislature but to how we elect people in this province. I, for one, believe that our system of electing members—for example, a party like mine, that got 38% of the popular vote in 1990 ended up with over 60% of the seats in the House because of the first-past-the-post system, and the Conservatives, with a 42% or 43% popular vote, ended up with 60% or 65% of the seats in the Legislature. That to me sounds disproportionate.

I would argue and advocate for people to look at what the New Democratic Party did at our biannual convention last weekend in London. We passed a resolution on the convention floor basically saying that if our party took office, one of the things we would do is go out and consult with Ontarians in order to design a system of electing people that was proportionate to the percentage of the vote people got, otherwise called voting reform or proportional representation. Why? Because fundamentally we believe that to truly make this place work, there has to be some way to even out power across both sides of the House.

Where we are now, the government holds all the rules in their back pocket and quite frankly can do what they want. They can introduce a bill on Monday morning, have three days of debate, introduce a time allocation motion and in four days the bill is done. That, to us, is not a good way of doing business. At least in a system where you elect people by proportion to the vote they get, you end up in a Legislature where if the people, by a majority vote, say, “We think party X should get 40% of the vote,” they should end up with no more than 40% of the seats in the House.

How that would work is fairly simple; there are a couple of different models. The one I prefer—different from the one that was put forward at the convention, but all of this is open to discussion through the process we would go through—is that you would have an election, just as you have now. You would have 103 ridings and 103 members, just as we do every time we have an election in Ontario. We would elect members to our

Legislature from our ridings as we did—first past the post; he or she who gets the most votes wins. But at the end of the day we would say, “What did the party get?” The Tories got 43% of the vote in the last election, so the number of members they elected would equal 43% of the seats in the Legislature.

Then you would go to the Liberal Party and say, “What did you get? You got some 30% last election. You elected X number of members.” You would then boost up, by way of list members that parties would list prior to the election, people who would come and represent regions they did not get elected in. Then you would go to the third party and do the same.

Each party would end up with a proportion of members in the House to which they were elected as a party overall. You would still have representation in your ridings. Your ridings wouldn’t change one iota. People would still elect people the way they do. The only difference is that the final outcome—if 40% of the people say, “Hey, we want Howard Hampton and the NDP,” that’s as much power as we’re given, whatever the public will give us.

There are different methods by which you can do this. There’s a two-ballot system where you vote for your member and then you vote for the party of your choice. That’s one of the various systems that have been advocated. But the overall concept is that no party should end up in the Legislature with more seats in the House by proportion than the number of votes they got. We think that way you would be able to at least have some equality when it comes to being able to negotiate what happens in this House when a member like Mrs Churley brings forward a bill. The government would need opposition parties in order to govern. Yes, there would have to be some to-ing and fro-ing, and it would force the parties to work together to the benefit of the people of Ontario, unlike now where all the rules are in the back pocket of the government and they can do what they darn well please and at the end of the day there is not much that backbenchers or other members of the Legislature can do.

**The Acting Speaker:** Comments or questions?

**Hon Brad Clark (Minister of Labour):** The member for Timmins-James Bay raises an interesting point about improving democracy in terms of proportional representation, but there are other ways you could do it too. I have long advocated that we move to a system that is more akin to Westminster. The process there is that, in essence, every vote in the House is a free vote for all members. The rules of the House are such that if a government bill were to fail, following that there would be an immediate vote of non-confidence and the House would vote on the non-confidence motion. So the bill could fail, but the House would continue. Margaret Thatcher actually brought this through—bills in the House in Britain have fallen, government bills, but the House didn’t fall because they set the rules in such a way that it wouldn’t defeat the House, that it wasn’t an automatic vote of non-confidence. They set the rules so

that after the bill failed, you would have a motion of non-confidence, vote on it, debate it, whatever, and then it would pass or fail accordingly. If you look at these things, it's quite reasonable that that would work also.

You talk about proportional representation. You just want to provide more freedom to the members and allow them to speak their consciences and vote their consciences. I know I've done it, on this side of the House, a few times, but it would be easier if we had it set up permanently. That would be my suggestion.

**Mr Marchese:** I want to congratulate my friend from Timmins-James Bay for the comments he has made. I would add several comments and say that it's really hard to take this bill seriously, Bill 148, the Emergency Readiness Act. I know my friend from Timmins-James Bay says, "Yes, we support it. There are grounds to support it, but we want more discussion etc." I don't take this bill seriously at all, and I'll tell you why.

When you look at what this government has done in terms of the budget the Attorney General has and what the government has slashed from that ministry and the so-called public safety and security, you say to yourself, when they slash their budgets, "Is that a serious thing that they're doing?" If they're really concerned about public safety and security, would they not want to beef up that ministry a little bit, and give them a few extra resources and money? But if they're proposing to cut \$15 million from the Ministry of the Attorney General and \$73 million from operating at public safety and security, then you say to yourself, "Is this for real, this bill?" Or are they using September 11 as a way of fabricating something? Yes, September 11, as tragic as it was, it becomes now politically expedient and convenient for this government to manufacture something. That's what they're doing. If they were serious, they'd be beefing up those ministries with financial support. When you look at the fact that our courts are backlogged, it means they're not giving support to the courts, they're taking away supports, including allowing our police precious hours fundraising instead of investigating serious crimes. They're after squeegee kids, for God's sake, instead of focusing on real crimes. I don't take this bill seriously.

**The Acting Speaker:** Comments and questions? The Chair recognizes the Minister of—

**Hon Tim Hudak (Minister of Consumer and Business Services):** Consumer and Business Services.

**The Acting Speaker:** Consumer and Business Services; my apologies.

**Hon Mr Hudak:** Certainly, Mr Speaker, I had the pleasure of visiting Perth county as the Minister of Tourism, Culture and Recreation, celebrating things like the Stratford Festival, so you might remember me from my other title. But my new position is in consumer and business services.

To comment on my friend from Timmins-James Bay, whom I enjoyed serving with in my time in northern development, I appreciated his comments with respect to proportional representation. I didn't know it was particularly in the bill, but I guess it's associated with the bill.

Along that line, sometimes I too, like my colleague from Stoney Creek, the Minister of Labour, have concerns about proportional representation. I appreciate the policy point you bring forward. To me, it's absolutely essential for MPPs to be anchored with constituencies. The discipline, when you return to Listowel on the weekend—this weekend attending the Friendship Festival in Fort Erie and celebrations of Canada Day in Port Colborne and Dunnville and Lincoln, the chance to interact with constituents who I think give us discipline and keep us in touch with the realities of day-to-day issues. I worry that in the proportional representation system you'd lose that essential anchor.

We've seen some developments—in fact, the Liberal Party I think has brought forward some proposals to take us more toward an American system in terms of election dates and such. They have some of the European systems. I do like the system we have inherited, the British parliamentary system. I think the member from Stoney Creek makes an excellent point with respect to confidence votes as opposed to bills. But I do appreciate the member's comments as such. Like you, Mr Speaker, looking forward to heading back to beautiful Listowel this particular weekend, I think it's important for us to go back to our constituencies and hear every weekend, as we do, what the voters want us to do.

**The Acting Speaker:** The Chair recognizes the member for Timmins-James Bay. You have two minutes to respond.

2030

**Mr Bisson:** I say to both my colleagues who said they worry about the whole issue of proportional representation to anchor the member to the constituency that I agree with you. That's why I propose there be a system that says you have 103 ridings, as we do now, you have elections in 103 ridings, you put up candidates from the political parties that are going to run, and the first past the post wins. You'd still have 103 members elected here. The only difference would be, if you got 41% in the last election, your number of votes as a governing party, because you got the majority of the seats, would equal 41%. That's all you do.

*Interjection.*

**Mr Bisson:** No, it's really simple. If you got 41% of the vote and you elected 53 members in the last assembly—I forget what the numbers are—your 53 members would equal 41% of the seats in the House. You then go to the Liberals in opposition and the New Democrats, and if they are under their percentage of vote, they get the rest of their members from lists so that you end up at the end with no more than the percentage of vote you got overall in the election. That's basically how that works.

Quite frankly, there are very few parliamentary democracies that don't have PR. England and Canada are the only holdouts, along with India, who still have a first-past-the-post system that is not proportional representation. Even Wales and Scotland, the Parliaments that were created by Tony Blair, are PR, and they're talking about moving Westminster.



If there was a member voting against the government, then you'd do what Westminster does and bring in the issue of, "We'll have a non-confidence motion." The reality is, most members vote with the government because they believe in what the government's doing. How many times do you guys get up over there and say, "Oh, I really disagree. I'm standing up just to support my Premier"? The reality is, you're all Conservatives and you believe in most of the policies of your government. It's the same thing for everybody else. I argue you should have no more seats in the House than the percentage of votes you had in the last general election.

**The Acting Speaker:** Further debate.

**Mr David Christopherson (Hamilton West):** I appreciate the opportunity to speak to Bill 148 this evening. Let me say at the outset that I do so somewhat hesitantly, given the fact that this is stemming from a ministry I was minister of not that long ago. Personally, I have a great deal of respect and high regard for all members who perform the functions of a minister, and there's particular importance in the justice ministries for reasons that I think are self-evident. It's been my practice, since I was no longer the minister in 1995, not to speak to justice bills stemming from what is now the Ministry of Public Safety and Security, then the Solicitor General and Ministry of Correctional Services, unless there was something I felt strongly about.

I think that's the right way to go. I wanted to virtually keep my powder dry and not use it up on any of the normal politics of this place and reserve it for times when I really thought there was something that needed to be said. That would give me an opportunity to have perhaps a little more impact, and that's the case this evening.

I don't disagree at all with the fact that the government, and in this case in particular the minister, has taken a look at many of our emergency plans. I really don't care too much whether you call it the Emergency Management Act or the Emergency Plans Act. That's pretty small potatoes. What I do care about are the changes themselves. The fact that there has been a review, the fact that there are changes being made, in and of itself is not problematic. For that matter, other than a couple of items which I will mention, it's not like I have huge problems necessarily with the bill as it's structured, although I have a couple of reservations. It's more a matter of this business of ramming this legislation through with no opportunity for anybody to speak.

I mean, here we go again. It wasn't that long ago there was a bill in front of the House that affected the Planning Act in terms of the building code. Was there anybody involved at the municipal level? By the way, the building code is enforced and used by municipalities, even though we enact it. There was no opportunity for anybody at the municipal level to come forward. Whether it was from the industry side of things, the enforcement side of things, whether it was the academic study side of things, there was nothing, no opportunity whatsoever. I said at that time that I thought that was a real miscarriage of justice and certainly not any form of democracy that I would support.

I have similar feelings about this. For instance, one of the changes is "a new process for obtaining a court order declaring that a person is dead, in circumstances where no physical evidence is available but it is reasonable to presume death." It's not the most pleasant of subjects, but again, given September 11 and other tragedies, it's easy to see and figure in your mind where something like this might come into play.

As far as it goes, I'm fine, but I'm not an expert in this arena. I'm not a lawyer, and I don't have to be to be a lawmaker, a legislator. But what I do need is access to people who are experts, and so does virtually every other member of this place. So to deny the legal profession—perhaps existing coroners, although I doubt Jim would be there, but certainly maybe former coroners or others who were regional coroners might have something to offer to at the very least make it a better bill and, at worst, stop us from making a horrendous mistake, perhaps in all innocence. But we'll never know if things continue the way they're going, because this bill won't go in front of the committee. I don't understand why not. Why don't you want to give experts an opportunity to comment? And don't dare stand up and say it's because this is urgent and you can't afford the time. You introduced this bill last December, on December 6, 2001. If time were of the essence, this would have been on the floor of the Legislature the first day we came back in May. Instead, it comes up—yesterday was the first day—the day before the House rises. So don't tell us you don't have the time or that the issue is dealing with emergencies and therefore we don't have the time. That doesn't wash.

I suspect what happens is more accurately reflected by the minister's comments last night. I haven't seen Hansard, but I've been advised—and if I'm wrong, I'll stand corrected—that he said something to the effect that September 11 will roll around in terms of the anniversary and we won't have done this. All the more reason perhaps to have dealt with it earlier, but certainly not justification for denying the public and other experts an opportunity to comment on a justice bill.

You require municipalities, boards and commissions to bring in emergency management plans; you're going to mandate it. Certainly my hometown of Hamilton is in the forefront. We hold the emergency disaster preparedness conference every year in Hamilton. We're a source of excellence in this regard. Most municipalities have taken proper steps, but there are probably some that haven't. This would be a better province and we would be better prepared for any kind of tragedy that might befall our citizens if they did. So it may be that we have to use the heavy hand of legislation to say this is mandated. Fair enough, but why aren't we at least allowing municipalities a chance to have a say? The Association of Municipalities of Ontario apparently has asked for an opportunity to make sure they can at least express to the minister what this is going to cost municipalities. That makes common sense. The government can choose at the end of the day to either heed the advice they're given or not, and you can determine whether someone's playing

politics or not. But given the nature of this and the importance of it, I think it is so wrong not to afford those municipalities, and in particular AMO, an opportunity to come forward and have their say.

Representative government doesn't mean that we keep everything to ourselves, at least not in any sense that I've interpreted. This is becoming far too frequent.

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I see one of the key media people here now. I want to say that I don't think the media makes enough of the fact that there are too many bills that go through here without any kind of hearing time, like a day here and a day there. I know they've got a job to do. But, damn it, it's wrong that there are such key, important issues that affect the health and safety of our citizenry and you're not even giving people a say. That's wrong.

That's why I stand as a former Solicitor General and say that this should go to committee. I've not played politics with that ministry in the seven years since I was the minister and I'm not about to start, but I am going to speak out when I think something's wrong, and this is wrong.

There's an element here of things that the government can decree municipalities must do, that are mandated by law to do. All it says now is that they'll be prescribed by regulation. I wouldn't be the least bit surprised if there is a mayor, or perhaps a lot more than one, who will want to come forward and say, "What have you got in mind exactly so that we can at least have a sense of the scope?" I know it would be ideal to bring in regulations first. I've often advocated for it. It doesn't happen very often. I'm not trying to be unreasonable, but I do think it would be understandable if a representative from AMO or someone else from the municipalities, who are going to have to be the ones to enact what you're mandating them to do to carry it out, that they would have a chance to ask you, "What sort of regulations have you got in mind? At least, what's the framework?" But we won't know now until it happens because there won't be any public hearings. If the government members choose not to comment on that tonight, then boom, that evaporates any chance for anybody in this province to have any kind of say.

Again, I am not one who shied away from the responsibilities and, yes, the powers of the office of Solicitor General. When there are emergencies, decisions need to be made, action needs to be taken. The Premier, the Solicitor General and a number of other ministers—but the lead minister is the Solicitor General; at least it was back in pre-1995 times—have got to be able to exercise authority and power and make things happen now, and I don't shy away from that. This isn't a question of being afraid of putting in strong language that gives a lot of power to someone or some entity in the case of an emergency. But creating those powers, given the fact they are so strong, is all the more reason why people should be given an opportunity to have a say, especially if they've expressed an interest.

My caucus colleagues have already mentioned on a number of occasions a letter from the Ontario Profes-

sional Fire Fighters Association, who have some concerns, some questions and comments they'd like to make. Right now, in the United States, post-September 11, being a firefighter in and of itself is akin to being a hero. Any of us who watched and thought about the courage it took to be going this way into the disaster and helping everybody else go that way will understand why. You talk about wanting to do things: you're going to put a monument up to firefighters; one of your caucus members wants to fly the flags at half-mast if one of the firefighters should die tragically in the course of their duties—all fine and well. All they're asking for now is the respect to let them be heard.

What it does is, it suggests that most of the things you want to do with firefighters are good politics rather than really caring. I'd like to hear a minister—I won't put this on backbenchers—stand up tonight in the two-minute responses after my comments and defend why you want to praise firefighters as heroes, which we all do, and rightfully so, but when they say to you, "Look, we're the ones who have to go into these disasters and tragedies and when everybody else is running for their lives and worrying about themselves and their immediate family and those immediately around them, we're the ones who are rushing into harm's way," you won't even give those same citizens who happen to be firefighters the respect of an opinion. I have to conclude that you really don't care that much about firefighters except as you can use them.

There are at least two ministers in the House. I want one of you to stand up and defend why it's OK to tell firefighters, "You're important except when we're dealing with legislation that defines your job. When you put your life on the line, we're not going to even give you a say." I'm willing to bet quite a bit of money that's not going to happen. They'll just ignore it and hope it goes away.

What got me into that was this is one of the things that's empowered. "The Lieutenant Governor in Council is empowered, on the recommendation of the Attorney General,"—all that means is cabinet; cabinet decides—"to temporarily suspend the operation of a provision of a provincial statute, regulation, rule, bylaw or order to facilitate providing assistance to victims of an emergency or to help the victims and general public deal with the emergency and its aftermath." Again, I'm not a lawyer, but that sounds pretty powerful to me. It may very well be that it's the right thing to do in terms of protecting our citizens. I'm not saying it isn't. All I am saying is that when you're going to suspend legislation by virtue of new legislation, I'd like to have a few experts roll in and advise us exactly what the implications are, what could happen. Is there any possibility of human rights, civil rights, constitutional rights being run over? If not, fine, but if there is, then why doesn't the government want to hear that? I sure want to hear it.

The other thing is, the Solicitor General's going to have the power to "formulate plans respecting other types of emergencies." This is stemming from legislation currently that talks about nuclear emergencies. I've had



those briefings. I know what happens if we have a worst-case scenario at our nuclear plants. I'm not going to go into details; I'm not the minister any more. But let me tell you, what I know tells me we want to be 100% sure exactly what it is we're empowering the Solicitor General to do, how much of it has to be reported back to this Legislature, how much of it has to be gazetted, exactly what we are talking about here.

Again, I'm not saying the sky is falling. I'm saying—*Interjection.*

**Mr Christopherson:** No, I'm not, I say to my friend across the way. I'm not saying that. What I am saying is, I want to be sure there isn't something there we should be worried about, and without giving experts an opportunity to come in, you can't give me that assurance and I can't give that assurance to my constituents when I vote. All of this is not to say that there are huge problems, but why aren't we having at least a few days of public hearings to allow people who are experts to come in and express that point of view so that we can all vote with an educated awareness and the public will know, so again in the course of accountability the public can decide whether we were voting in the public's best interest or in our party's best interest?

That's my concern and that's why I've chosen this to be one of the few times I have risen on a bill emanating from that ministry's office.

Before I sit down, I've talked a lot about process and I want to spend the last three and a half minutes talking about process as it relates both to Bill 148 but also the comments of an earlier speaker, my colleague Marilyn Churley from Toronto-Danforth when she was talking about Bill 3, which is the Safe Drinking Water Act. There isn't one of us in this place who doesn't get a shudder down our spine when we think about Walkerton. I have the budget speech. I thought it was great politics. I also thought it was good governance when Premier Eves said in his budget speech on page 26, "I would like to thank Marilyn Churley, the member for Toronto-Danforth, for her proposed legislation to improve the province's drinking water quality. My colleague Chris Stockwell, Minister of Environment and Energy, will work with her to ensure passage of a Safe Drinking Water Act for Ontario, strengthened by Justice O'Connor's recommendations." I'm not going to deny for a second that that wasn't great political news for my friend and for this caucus. But seriously, overarching all of that was the fact that a very good bill, coming from Ms Churley, was going to be the starting point of a commitment the Premier was prepared to make. It felt good. I thought, "Maybe there's hope." I've been around here 12 years now. This is the first time I can think of—there may be one other occasion, with Dianne Cunningham, when our government supported her private member's bill to provide for safety helmets for kids riding bikes, skateboards and the like. We may have mentioned her name in a throne speech or a budget speech. But beyond that, I can't recall another time when a sitting government mentioned—

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*Interjection.*

**Mr Christopherson:** Francis Lankin was mentioned. That was a good co-operative effort, by the way, which is what we thought this would be, and much credit there goes to Brad Clark. I think it had a lot to do with his being promoted to cabinet, because he did an excellent job there. But this is, at the very least, one of the few times that an opposition member has their name mentioned in a good way in the government's budget speech. The last word we have is that this is no longer on.

**Mr Murdoch:** Hold on, it might be.

**Mr Christopherson:** I said, "The last word I have." I understand there may be some discussions happening and that why's I'm standing here now reinforcing this a little bit. Because if it's going to die, it's not going to die with a whimper; it's going to die with a bang.

The fact of the matter is that this is the right thing to happen. There was a plan for, I believe, 10 days of public hearings and two days of clause-by-clause. I've got to tell you, with your track record, that's a lot of time. That's really good news.

For some reason, this issue got embroiled in the last-minute negotiations of getting out of this place. As a former House leader of the third party, I know exactly what's going on in those meetings. I also believe passionately it's wrong that the question of safe drinking water in the era of Walkerton should be delayed for any political reason. The government was prepared to move on it. Marilyn Churley is prepared to work with the government. I understand the Liberals are prepared to work co-operatively to bring in the best bill we possibly can. Will we end up there? I don't know. But if we don't agree to sit down and meet and engage the public, we'll never get there, and that also is wrong.

**The Acting Speaker:** The Chair recognizes the Minister of—there I go again—Consumer and Business Services.

**Hon Mr Hudak:** I just can't make an impression on the Speaker tonight, the member for Perth-Middlesex. I will say this so maybe he'll remember me next time: if there is one thing I can say about Listowel, it does produce some very attractive individuals, Mr Speaker, yourself included, and one in particular who may be watching at home even more attractive than you are.

I wanted to say to the member's comments, importantly on an issue such as public safety and security, one issue we have talked about recently—maybe not as much in the House except a little bit during question period, but in the ministry—is the risk of identity theft, especially in today's day and age with more transactions happening remotely. You don't even have to show up at your bank, for example. If somebody assumes your identity by stealing your birth certificate, then getting a driver's licence in your name, a passport, and from there a bank card, the risks of having your life savings drained, of having your credit rating run through the roof, are quite strong, especially in the electronic age. That's why the advice of this ministry has been, under my predecessors and

myself, to make sure that you keep your birth certificate in a safe and secure place. Hopefully you don't carry it around in your wallet or your purse because from time to time we all lose those things and lose our identification. If you lose your birth certificate, you risk losing your identity.

If I can say anything to the folks at home in Listowel, Fort Erie, Wellandport and here in Toronto—keep your birth certificate in a safe and secure place.

**Mr Marchese:** I'm just wondering what the member from Erie-Lincoln was commenting on. God bless you for being here and participating. That was good, I suppose.

I just want to congratulate my colleague from Hamilton West for his commentary on this bill. It's always sharp. I wanted to complement and add to it. You see, I'm a bit cynical about this bill; I really am. While no one disputes the notion of an emergency management plan, which so many municipalities have in place—yes, but this would mandate it—and while I think it's a good idea, these people are not serious. They don't want this bill to go anywhere. If they did, like the member for Hamilton West, they would do a couple of things. They would certainly make sure that this bill goes to committee over the summer for discussion, but they're not doing that. So you understand, good public who may be watching, why I think they're not serious. What I think they're trying to do is link themselves to September 11 while the memory is still alive, hoping that after this session it will all go away and they'll get back to business. That's what I really think they're doing; I believe that. If they indeed were serious, they would do what the member for Hamilton West was saying earlier. They would be talking to their friends; firefighters are friends of these people—right?—generally speaking. The police association, generally speaking, supports the Tories. Good God, I don't think they support me. But some do, probably. My point is that they would be consulting with firefighters and they would be consulting with the police. They certainly would be consulting with AMO, the association of municipalities. They would, because many of them are their friends, and they're not doing it. And because they're not doing it, they're not serious about this bill.

**The Acting Speaker:** The member for Hamilton West has two minutes to respond.

**Mr Christopherson:** I want to thank my colleagues from Erie-Lincoln and Trinity-Spadina for taking the time to listen and comment. I just say to my friend from Erie-Lincoln, obviously you didn't take the challenge. You're a minister of the crown; you're a seasoned minister. I asked for one minister to stand up and defend telling the firefighters that you have no interest in hearing what they have to say. You chose to talk about birth certificates and identity theft, and I'm not saying that's not important, but obviously you needed something to cover a minute and a half because you weren't prepared to comment on that. I hope it made you squirm a little. You should feel embarrassed that you can't defend not giving firefighters an opportunity to have a say.

Let me just take a second to tell you a couple of things they want to talk about: the enforcement, of the mandatory nature; they want to talk about rehearsals of emergencies and how much they're mandated and who pays for them if they are; and about updating the plans and a number of other things. As my friend from Trinity-Spadina has said, they're not coming in to go after you. They're coming in to make it a better bill because it's their job and their lives that they put on the line in the framework of the legislation that you don't want to give them a say on.

My friend from Trinity-Spadina talked about AMO getting a say. I didn't get a chance to mention that you're asking municipalities, once again, just like a lot of other things, to pay for it. They have a right to at least tell you how much it's going to cost and how difficult it is for them to pay for it, given all the other things you've asked them to do. So once again you take the credit and give municipalities the bill.

**The Acting Speaker:** Further debate.

2100

**Ms Martel:** It's a pleasure to participate in the debate here this evening. It won't be anything like the lively debate that occurred last night when my colleague from Niagara Centre, formerly Welland-Thorold, had a chance to speak. Those who were here last night will recall that he raised some very serious concerns—I don't want to take that away from him for a moment—a number of which I will repeat here tonight. But also it was probably one of the most humorous speeches I've ever heard him make in this House. It was a fine evening for all till midnight again last night.

It's 9 o'clock now and I'm speaking and my colleague from Trinity-Spadina is going to have a chance to speak as well. So we're going to be here for a little bit yet. I think that's a good thing because this bill does have some serious flaws. I know that when it was first introduced, my colleague from Niagara Centre was very clear in putting those concerns on the record. That was when the bill was introduced last fall. He repeated those last night, and that is why we told the government last fall that we were not prepared to deal with this bill on second and third readings with no public hearings, limited debate etc, but wanted a forum, an opportunity for people to come and have their say. In a democratic process, that's what we should be doing when there are bills we have concerns with. It's not only us who have some concerns. I'll talk about the concerns of the firefighters. I'll repeat them because I think it's important for the government to understand that, but I'll do that a little bit later on. Let me just deal, for people who are watching the debate tonight, with some of the concerns we have.

First of all, I think we should point out that municipalities should be required to have plans in place to deal with an emergency, not for what is probably an unlikely event, an attack, but for things that would be far more common in municipalities: an arena roof caving in, for example; the flooding, as we have seen in northwestern Ontario in Kenora-Rainy River, the riding of our leader,



Howard Hampton, in the last couple of weeks; or other natural disasters—fire. You can't help having seen on television in the last couple of weeks the terrible fires that are sweeping across parts of the United States right now. So it is absolutely imperative that municipalities have emergency plans. I think many of them already have. It's true that this bill mandates them to have the same, but I think if you were to talk to a number of municipal leaders, they already had those things in place before September 11. Is it good that the government makes it mandatory? Absolutely. But do we do that only in the context of the unlikely event of an attack? I don't think so. I think it's important for municipalities to have these in place for the other things that are far more likely: those events that I mentioned. If we took a look at it municipality by municipality, we would see that most of those municipalities already had those plans in place a long time ago.

The concern with mandating has to do with what the regulations will be that municipalities are going to be expected to assume. What are the standards with respect to emergency services: fire, police, response times etc? What are their standards going to be? Who is going to set them? Who is going to enforce? Most important, who is going to pay for them? I remain very concerned.

I listened carefully to what the minister had to say last night, and it was good that he was here. I commend him for being here for the carriage of this bill. I listened very carefully to hear what the minister had to say with respect to funding. The minister didn't say anything with respect to this government putting some cash on the table to allow municipalities to be in compliance with new standards that surely will flow from this bill. I think I did hear him say that municipalities cover 90% of these costs already. You know what? That may be fine and dandy, but municipalities are already dealing with a number of additional costs that this government has downloaded on them: public transit, child care, social assistance, public health, assessment services, and the list goes on and on. Even 10% of an additional increase to be in compliance with the regulations that will flow from this, with the standards that will flow, could be a huge financial burden for any number of municipalities, especially the small ones.

I've got a number of communities in my riding right now, two very small ones indeed, that are not in a position to deal with this government's safe drinking water guidelines. They are not in a position to pay for the work that has to be done at their sewer and water plants to be in compliance with this government's Safe Drinking Water Act. You add on to them the burden of some of these other emergency services without any corresponding funding and they will be out of compliance all the time. You may want to charge them, they may be in a position where they are breaking the law, but the sad reality of the day will be that they are not in a position to raise the money locally to pay for some of these things. I worry that this is the road down which this government is taking us with respect to this bill.

Where is the commitment of the government to provide the funding necessary to ensure that police and firefighters and other emergency workers will be in compliance with the standards that will be established, will be in a position to deal with crises? I say that seriously to the government because we already know that most municipalities are not meeting staffing guidelines from the fire marshal's office now with respect to firefighters, and that's a fact. The fire marshal's office now has a staffing guideline of 10 firefighters on the scene in 10 minutes in urban areas. Do you know what? That is just not happening in municipality after municipality. Emergency service workers, firefighters in particular, when they come to lobby us every year, have told us that, year in and year out, the fire marshal's guideline with respect to staffing in urban areas is not being met now.

Who is enforcing that? No one. Are there people worried about that? Well, there should be. Is the government providing funding to municipalities to make sure that the fire marshal's office guideline is enforced? No. So if we can't even have adequate staffing in most urban municipalities for firefighting under current staffing guidelines, how are we ever going to pay for increased staffing to meet with decreased response times that will flow from this bill?

We wouldn't be bringing this bill forward if we weren't trying to do more, trying to do better, trying to improve the situation. So I'm going to assume that improved response times are going to be a part of this. Who is going to pay? What are we going to do? Because we're not meeting current guidelines, at least with respect to firefighting.

The other question that flows from that is: what are the standards that the government will impose? How are they going to be different from the standards that are already in place, many of which municipalities are unable to meet now? How will the government ensure compliance if there isn't funding to help municipalities deal with their existing needs—and we know there isn't—not to mention the needs that might occur in the event of a crisis?

Those funding issues related to what we already know is not happening in too many emergency services are the reason why there should be some public hearings on this bill: so people who are directly involved in emergency services can come and have their say about what is needed, both in terms of staff and in terms of adequate funding to support those staff.

We know, for example, that firefighters have been lobbying for some time now for an improved standard in the province of Ontario with respect to staffing levels and response times. That standard that has been proposed by firefighters in Ontario is 17 firefighters within 10 minutes to the site in an urban setting and 17 firefighters within 20 minutes in a rural setting. That's what firefighters believe and know is necessary for adequate response time—what is needed if they are going to be in a position to deal with a fire, to save lives, to hopefully save property.

Are we anywhere near that now? I know we have a standard that says 10 in 10 minutes. We can't meet that, so how are we going to get to what firefighters tell us is necessary: 17 in 10 minutes; 17 in 20 minutes for the rural area? How are we going to get there? Where is the money going to come from?

These are the kinds of issues that should be dealt with in a full and open hearing process so that people who deliver these services every day, who protect us every day, who put their lives on the line for us every day have an opportunity to come and say to the government, "If you are serious about emergency measures—and we think you are—then you've got to be serious about how we're going to fund that." Because to get to appropriate levels of staffing and appropriate response times now in the province of Ontario would mean a significant increase in funding by municipalities to have the staff available. Municipalities do not have the cash on hand to have that done.

We have some other concerns. We feel very concerned that there are just too many unanswered questions about the role of Emergency Measures Ontario. What is the role? What is the mandate? What will that office use to enforce this legislation? Who will be consulted? Who will be involved? None of that is outlined in the bill. Yet the government was here last night wanting us to pass this—second reading, third reading, right now, let's go—no kind of discussion, no kind of conversation, no opportunity for public input on some issues that demand and deserve public input.

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We are also very concerned about what and who will be involved in setting the standards for emergency management. As it stands right now, it's the Solicitor General who makes regulations to set standards. There is nothing that appears in the bill, there's nothing that appears in regulations that requires that same Solicitor General to have any kind of consultation with essential stakeholders about the setting of standards. So the Solicitor General, on behalf of the government, is under no obligation through this bill to have consultations with municipalities who are going to be paying for the service, consultation with police forces, who are obviously an important part of emergency response, with firefighters, who lobby us every year about important issues—

**Mr Kormos:** Paramedics.

**Ms Martel:**—paramedics—thank you, Mr Kormos—and other emergency personnel who of course would be directly involved in those standards. They'd be directly involved in trying to ensure compliance. So—

**Mr Kormos:** What about the city workers who have to respond to emergencies in sewer systems and other systems?

**Ms Martel:** Well, the problem, as my colleague from Niagara Centre raises, is that the only person involved in setting important standards, those standards for emergency management, is the Solicitor General; no mechanism, no obligation, no responsibility on his part through this bill to have any kind of consultation whatsoever with

those important stakeholders. They're people who know what is necessary, the people who are going to be called upon to deal with those emergency situations, and we think that's wrong. We think there has to be an obligation in the bill that requires the Solicitor General to have an open and full process of consultation with these important stakeholders around the setting of those standards for emergency management. That is just basic. That's a no-brainer, in my opinion. But it doesn't appear in the bill, and we want it to and we think it should. The only way we're going to get it in the bill is if we have a committee process and some clause-by-clause to allow important amendments like this one to come forward.

I heard the minister last night talk about how important it is for municipalities and for the government to take measures to ensure public safety. I agree. I agree with the minister when he says that it is very important, not only in the case of unlikely terrorist attacks but in the case of roofs falling in, in the case of flooding, in the case of fire; all of those things are really critical, and I agree with him on that point.

What's interesting, though, is that if you look at the estimates that were just tabled recently as a result of the budget being introduced, it's interesting to note that one of the people—

**Mr Marchese:** On a point of order, Speaker: If you will, could you check for quorum, please?

**The Acting Speaker (Mrs Julia Munro):** Could we have a check for quorum?

**Clerk Assistant (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant:** A quorum is now present, Speaker.

**The Acting Speaker (Mr Bert Johnson):** Thank you. The Chair recognizes the member for Nickel Belt.

**Ms Martel:** As I was saying, I listened to the minister last night say how important it was for the government as well. He talked about municipalities, he talked about government to take measures to protect public safety. I note what a contradiction it is for the minister to say that and then to look at the slashing of two important budgets that the government is responsible for to do just that, and that is to ensure public safety.

If you look at the operating budget for the Ministry of the Attorney General, the estimates show a \$15-million cut in the estimates for the Ministry of the Attorney General. Now, this is the Attorney General's office dealing with our court backlog, dealing in some way, shape or form with our police. The Ministry of the Attorney General is pretty much up there in terms of being involved in public safety and security, and that ministry is suffering a 15% cut in its budget.

I thought the more important cut was actually the cut to the ministry that the minister who was here last night was talking about. Here's the minister of public safety and protection and—I'm not sure of the exact name; that's OK, Speaker, you'll know what I'm talking about—he's got a \$73-million cut in his budget in the estimates. This is the same minister who was here last night, yipping and yapping about public safety and how



we have to get this bill passed so we have it in place before the first anniversary of the terrible events of September 11 and it would be on the heads of the NDP if this wasn't passed before then and what a tragedy that would be. I'm looking at the estimates and I'm saying, there's a minister who has a budget cut of \$73 million at the Ministry of Public Safety and Security. How serious is he about public safety and security, with a \$73-million cut to his budget? How serious is the government about public safety and security when they allow a \$73-million cut to this ministry?

How is the government in any position to tell municipalities what they have to do and how they have to ante up the money and they have to get to the table and put cash on it, when this same government has two ministries that are experiencing, in one a very significant cut to a budget, and in one a not-so-significant but significant enough cut on the AG side? What does that say about this government's priorities? What does that say about this government's commitment to this bill? It's pretty hard to go out and bash municipalities over the head and demand they ante up and pony up some cash when, from your own side, two ministries that would be most involved in emergency measures are experiencing cuts to their budgets.

I raise that because I certainly found it a contradiction in the words I heard the minister speak last night in terms of how important this bill was and how important it was for Ontarians, and then looking at the cash behind the bill, which is no commitment to any funding to municipalities to implement this bill and the same government cutting back on its own resources—human and financial—for public safety and security and emergency services.

Let me get to the matter of public hearings because it was, I thought, a bit unacceptable last night for the minister, at the end of his speech, at about the last minute, to go on about how if this bill didn't get passed, it would be on the heads of New Democrats. He indicated that the Liberals were supportive of this bill being passed on second reading, third reading, no committee, done last night, and wanted us to consider doing that as well last night. He went on to say, as I said just a little bit earlier, that it would be such a tragedy—such a tragedy—if this bill was not passed before the first anniversary of the events of September 11. I reminded the minister then and I'll remind members tonight, the real tragedy is that this hasn't been a priority for this government and the real tragedy is that this government hasn't seen fit to bring forward this bill for debate until the 11th hour. I think it's worth reminding people that this bill was introduced by this government on December 6 last year—some fair bit of time after the events of September 11, I should add. It wasn't introduced by this government until December 6 last year. We sat for at least another, I would think, six days after that; we sat at night. We never saw the light of day of that bill. It was such a priority, it was so important, it was so urgent, it was introduced for first reading and then we never saw it again.

This session we've been sitting since, what, May 9. Last night, the government finally brings this bill forward for second reading debate, on the night of June 26, probably at about 8 o'clock last night, the night before the day the House is due to recess. That's how important this bill was for this government. That's how much of a priority it was.

The tragedy is that it wasn't a priority for the government. I feel very uncomfortable with the government pointing—

**Ms Churley:** On a point of order: Sorry to interrupt the debate. I want to ask for unanimous consent from this House for public hearings to be held on Bill 3, the Safe Drinking Water Act, for 10 days of hearings and two days of clause-by-clause deliberations in September, the exact dates to be determined by the members from the three parties at a later date.

**The Acting Speaker:** Is there consent? There is not consent.

Questions and comments?

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**Mr AL McDonald (Nipissing):** Being the representative from Nipissing, I can tell you that people from northern Ontario appreciate individuals who are hard-working, and they can appreciate all the hard-working members on this side of the Legislature who are here at 9:20, working hard for the people of Ontario.

The reason I stand up to speak to this bill is that the other thing the people of Nipissing and of northern Ontario fully understand, including the member for Timmins-James Bay, is that individuals in northern Ontario appreciate members or individuals or leaders who make decisions, who don't just talk and talk. They want clear leadership. They want individuals to stand up and say, "This is what's good for the people of Ontario. Let's move forward," instead of just talking around the issue.

*Interjections.*

**Mr McDonald:** I understand it's your job to stand here and criticize everything the government does, but I can tell you the people of northern Ontario appreciate leadership; they appreciate individuals who can stand by decisions and move forward. All I hear over here is how bad everything is, day in and day out.

When I talk to the people from North Bay or Mattawa or Trout Creek, they appreciate individuals who stand up, and they say, "Do you know what? He or she made a decision and stuck by it. That shows leadership." The people of northern Ontario appreciate leaders who make decisions and don't sit around all day talking about it.

*Interjections.*

**The Acting Speaker:** Order. It's 9:20. Get a hold of yourselves; keep yourselves in order.

**Mr Kormos:** Member from Nipissing, don't go away now. You took the floor for your two minutes. You're going to have a chance to show your constituents up there in North Bay how hard-working you are. The member for Nickel Belt has exhausted her 20 minutes of debating time, and the folks in North Bay want to see

their member from Nipissing stand on his feet and explain why he supports Bill 148.

The folks up in North Bay want to see their newest MPP stand up and reveal to them, disclose to them, make it obvious to them that, yes, you've read the bill, you understand the elements of the bill, you understand section 1, section 2, section 3, section 4. The residents of North Bay want to see representation in this Legislature. They want to know why, during this debate on Bill 148, not a single Conservative has been participating by way of a contribution to the exchange.

The people from North Bay are liable to say, "What's going on? We elected our member to come down here and, by God, tell it the way it is, bill to bill, to stand up." Now's your chance. You've got 20 minutes, member for Nipissing, from North Bay up there in northern Ontario. You've got 20 minutes to explain to the folks back home what you're doing here at 9:25 tonight, to tell them why you're going to be supporting Bill 148, if indeed you are. They want to know; they have a right to know. It's with great pleasure that I'm here, prepared, along with my colleagues, to debate this bill. Let's find out why you're here.

**Mr Wood:** I'd like to refer briefly to one aspect of the speech the member made. She argued the case for committee hearings, and that's a perfectly legitimate point of view. I would like to point out, however, that the bill has been on the order paper for some six months, and during that period the ministry has certainly received a large number of excellent submissions, suggestions and comments. So the public certainly has had a considerable opportunity to offer comment and has exercised it.

**The Speaker (Hon Gary Carr):** Further questions and comments?

**Mr Bisson:** Thank you very much, Mr Speaker—  
*Interjection.*

**Mr Bisson:** You snooze, you lose, Shelley. I needed you to get up; it's really simple.

In all seriousness, we have been here in the last hour or so urging the government House leader to come, sit down and have some discussions with our House leader and me as the whip in order to try to deal with this issue of Bill 3. My colleagues Mr Christopherson, Ms Martel and Ms Churley and I have said tonight that quite frankly we think the government made a commitment in the budget speech that they wanted to take that bill, do the right thing and get it out to committee. We just want to let the House leader know we are here, because we've sent all kinds of notes, we've talked to his staff, talked to the whip, and they're nowhere to be seen. I know the government House leader and the whip must be watching this on TV in their offices as they debate the strategy of what they're going to do. We're just saying, "Hey, we're running out of time. We've got one more speaker. After that, it's all she wrote."

**Mr Marchese:** Who is it?

**Mr Bisson:** Mr Marchese, so stay tuned. Mr Marchese is going to be speaking in about two minutes from now.

So everybody out there, tune up your sets and go get your popcorn.

**Ms Churley:** Do you know I asked for unanimous consent and the government said no?

**Mr Bisson:** Exactly. So I'm saying to the government House leader and to the whip, come. We're here; we're prepared to talk. We're interested in getting Bill 3 to committee. In fact, my good friend Marilyn Churley rose on a point of order to ask for unanimous consent to get Bill 3 to committee for 10 days, with two days of clause-by-clause. It was the government members who said no; the opposition parties said yes. If you're really serious and you want to get this bill done, we're here; we're ready to business. We're encouraging the government House leader and the whip to get back, to try to figure out a way of being able to do this. We're more than open. We're here; we're telling you to come along. We want to make a deal.

**Mr Murdoch:** If they are pretty serious on the other side, I was just wondering, when I'm done with my two-minute speech, if we could have all-party consent to pass my bill, Bill 74, the marriage commissioners act. Maybe we could start something going here. If we did, maybe it will show some camaraderie, togetherness or whatever we want to call it. I have two minutes, and then I can ask that question. I don't think I can ask it in my two minutes. I'm not sure of that, but I'll wait. Maybe we'll try that: when I'm done, I'll ask for all-party consent, with no debate, that they pass my bill for third reading. All three parties have agreed. It was at committee. It had two days of committee hearings and we had clause-by-clause. As I say, all three parties supported the marriage commissioners act. It will certainly serve all three parties. Northern Ontario certainly needs it, as well as rural Ontario, and I'm sure down here in Toronto we could use some marriage commissioners.

So before I'm done, I would like to ask for all-party consent to pass my bill, Bill 74, without any debate for third reading so we can get on with the business of the day.

**The Speaker:** Is there unanimous consent? No, I heard some noises.

I apologize. Apparently there was one extra in the rotation. The hand-off between the previous Speaker and myself didn't go quite as clearly as we had anticipated and there was an extra one. I apologize for that.

*Response?*

**Ms Martel:** I want to thank all the members who contributed. I guess I should just focus on the comments made by the member for Nipissing. I'm going to paraphrase him; he'll correct me if I'm wrong. I think he said, "The people in my riding want someone who shows leadership." I think the firefighters in his riding want someone who would listen to what their concerns are. I've got to tell you, brother, that we got this letter from the Ontario Professional Fire Fighters Association on December 8, 2001. It was addressed to David Turnbull. I think he forgot to share it with Mr Runciman. That



certainly seemed to be the case last night. But here is what the folks say:

"I am writing to you today with respect to the legislation you introduced in the Legislature on ... December 6, 2001. Bill 148, the Emergency Readiness Act, 2001, is a good first step and opportunity toward making the citizens of Ontario safer....

"However, my disappointment lies in the fact that this legislation is lacking in enforcement mechanisms for municipalities that do not comply. As well there is no authority given to a 'body' of the government such as Emergency Measures Ontario to obligate a municipality to have minimum response requirements, given their risk assessments."

Here's the final paragraph:

"On behalf of the 9,000 members of the Ontario Professional Fire Fighters Association I respectfully request that you submit Bill 148 for extensive public consultations and hearings. This will allow for proper dialogue and input to occur from the emergency response agencies responsible for delivering these services and from the citizens we are protecting.

"I ... await your reply."

Well, they got their reply last night, didn't they? They got their reply. They got the minister in here saying, "Second reading. Third reading. Shut this down. No public hearings. We don't want to hear from the Ontario Professional Fire Fighters Association."

You know what? If you're going to show some real leadership, I say to the government and the member for Nipissing, then have some public hearings as has been requested by the Ontario Professional Fire Fighters Association. Show some leadership. Have some hearings.

**The Speaker:** Further debate?

**Mr Bisson:** On a point of order, Mr Speaker: I want Mr AL McDonald to show leadership and speak on this bill. Therefore, I'm asking him to stand up and speak on this bill and show some leadership.

**The Speaker:** Further debate?

**Mr Marchese:** What I want to say to the government is, if ever there was an issue of public safety and public health, it would be the issue of the Safe Drinking Water Act that Marilyn Churley, our colleague from Toronto-Danforth, wants to bring forward. That's a public health, public safety—

*Interjections.*

**Mr Marchese:** Boys, you're too loud. Quiet down. I don't want to shout over you. Please, Minister of Labour, I want you to hear me.

**Hon Mr Clark:** Enlighten me.

**Mr Marchese:** So my point is this: Marilyn Churley, member for Toronto-Danforth, had introduced a bill, the Safe Drinking Water Act, something that you folks mentioned in your budget speech. We were obviously waiting for you to negotiate something with the rest of us. You didn't even have to negotiate; you could have done whatever you wanted. But bring it forth for debate, for hearings. We considered it a public health, public

safety issue. We assumed you did too. If ever there was an issue of safety and public health, that was one of them. It was within your grasp; it was in your budget speech. You wanted to do—what, Minister of Labour?

**Hon Mr Clark:** I don't need this any more. You're loud enough.

**Mr Marchese:** I'll whisper for you. You be a little more attentive and I'll whisper.

So we're saying that if you put it in your budget bill and it was important, Minister of Labour, to have put it there, surely it would be important to bring it forth today before the session is over.

**Hon Mr Clark:** Speak to your House leader.

**Mr Marchese:** I'm not speaking to my House leader; I'm speaking to you. You're here. I'm speaking to you. I'm saying to you, that's a safety matter, something that we could all agree with, that I thought we agreed with, and even there we don't have agreement to do it. So you see, I have no trust in what you people are doing. This is a game for me, at least as I see it. As I see it, this is a game. Because if you were serious about this bill, the Emergency Readiness Act, you would have acted a little differently. You would have been a little more ready to deal with this issue had you done several things. I'm going to mention some and get through the whole list to show you good citizens, those of you who are still awake—it's 9:35, Thursday night, the last day of this session. For those of you who are listening, the government has done the following:

While this government talks about how important it is for municipalities and governments to take measures to protect public safety, they slashed the budgets of the Attorney General and the so-called Minister of Public Safety and Security.

**Hon David Young (Attorney General, minister responsible for native affairs):** No, no, no.

**Mr Marchese:** How could you do that? The minister—

**Hon Mr Young:** It's called one-time payments for arbitration awards and Walkerton.

**Mr Marchese:** The Attorney General is going to stand up and do two minutes very soon, I can tell, if not a speech. I can tell it's coming.

There is a proposed spending cut of \$15 million in the Ministry of the Attorney General; he will explain in two minutes why he's cutting \$15 million from his budget. He's got a whole pile of stuff there and in two minutes he's going to summarize it, synthesize it and give you, the public, the reasons he's doing that.

**Hon Mr Young:** The Walkerton inquiry was in all the papers. I'm sure you read about it. It's over now.

**Mr Marchese:** Attorney General, you've got more than two minutes; you've got 20 minutes. I'm making a speech and he's talking to me. I'm saying to him, look, you've got 20 minutes of your own time, where I will not interrupt you, to explain to the public what you want, what I'm saying, how you might want to contradict me.

**Hon Mr Young:** I thought I'd use facts.

**Mr Marchese:** And that's exactly what we want you to do. Attorney General, what I want you to do in 20 minutes of your personal time is—this camera, by the way, is for you, this one right here—tell the people in 20 minutes all the wonderful facts you've got about this particular issue.

**Hon Mr Young:** Sit down. I'll do it now.

**Mr Marchese:** No, I've got 15 minutes. You see, New Democrats here have a whole lot of time. We want to use up our time. Unlike Tories and, dare I say, unlike the Liberals, who for some reason don't want to speak either, we have lots to say.

**Hon Mr Young:** My parents love watching you, but it's late.

**Mr Marchese:** David, I appreciate that your parents like to watch me.

**Hon Mr Young:** And my brother.

**Mr Marchese:** I want to say hello to the parents who are watching, and to brother Errol, a good friend of mine. Minister of Labour, I don't know your family too well but I do know Errol Young.

To continue and to stay on topic—don't distract me—there is also another proposed cut of \$73 million.

**Ms Martel:** To whom?

**Mr Marchese:** Alas, to an operation to that new ministry called the Ministry of Public Safety and Security.

**Ms Martel:** He's the one bringing forward this bill.

**Mr Marchese:** The very person bringing forward this bill—proposed cuts of \$73 million in this ministry called the Ministry of Public Safety and Security. I don't get it. Do you not want to invest more for public health, public safety, or do you want to cut, as you did in the Ministry of the Environment? They are so proud; they're still smiling. They were so proud a couple of years ago when they cut in the Ministry of the Environment, before they suffered Walkerton. You don't see them smiling any more about that, do you? It was tragic.

So when you slash \$73 million in the public safety and security section that this minister is in control of, what does it tell you? I wouldn't be laughing, just like I wouldn't be laughing when the Minister of Energy says about our leader, "He's wrong about rates," blah, blah, blah.

I'm telling you, Minister of Labour, this summer is going to be hot, a scorcher, and the rates are going to go "bloop." I suspect there are going to be more peaks than valleys, and those peaks will go oops, like that, where you have to "oops," those kinds of peaks, and they're going to hurt. I'm waiting for the Minister of Energy to say, "I shouldn't have said that. I shouldn't have said the rates are not going to go up. I know I told the leader, Howard Hampton, that he's wrong." If I were the Minister of Energy, I would have zipped my little lips and I would have said very little on the matter. I would have waited for the summer to pass, see how it goes, and then decide, "Maybe we should pipe down a little bit and not say very much about this whole issue of deregulation and

privatization of Hydro One and the operating plants." I wouldn't say a thing.

But no one could be a little more arrogant than my buddy there, Chris Stockwell, right?

**Hon Mr Clark:** Let's not get personal.

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**Mr Marchese:** Arrogance is something that people display, sometimes willingly, sometimes not, but it does have a way of manifesting itself, and he does do it. I would say to Chris, be careful. I want to caution him on that.

When you cut, have cut and are proposing to cut some more in those very ministries that presumably are designed to protect our public interest, I'm saying to you I'm worried about that. When you do this in a good economy, there's no excuse for it. Sorry. In a bad economy you might say, "Holy cow. How do we find the money?" Right? But when they've got money rolling in, because the economy has been so good to them, and they make these cuts, there's no reason. There's no justification for it.

When the courts are backlogged, David Young, Attorney General, when our courts are backlogged, lineups from here to who knows where—

**Hon Mr Young:** Rosario, that's a speech from 1994.

**Mr Marchese:** But the speech is still alive. It's current still. They are backlogged. Part of the problem is plata, pecunia. It's moolah. They don't have enough. You talk about how great this economy has been and all the money that's rolling in, but our courts are still backlogged. But I'm waiting for David to correct me on the facts, because he's got that whole pile. I'm waiting. I know two minutes won't do it, David. You're going to have to use some more time, please. In order to correct me, I urge you to use more than two minutes of your time.

And look at the poor police. The poor police are out there fundraising.

**Ms Martel:** That's sad.

**Mr Marchese:** It is sad. They're supposed to be doing their job. What are they doing these days? Chasing squeegee kids, for God's sake—fundraising and chasing squeegee kids to protect us from those ruffians out there, those criminals washing those windshields, real criminals, tough criminals all. We've got to go after them. They tell me we've got to go with the might of the state. We can find money for that.

The seniors, suffering serious crime out there, can't get enough police to take care of them, to deal with those serious issues, because we've got them chasing squeegee kids and we've got them fundraising to collect a couple of bucks to do what they've got to do. Imagine policemen and policewomen fundraising, having little parties—not drinking too much, I hope—to raise a couple of bucks.

**Ms Martel:** I'm with you.

**Mr Marchese:** The public is with me on this, Joe. I'm confiding very closely with Shelley so the camera can focus on us both.

Our firefighters are understaffed and underresourced, and so too are our police—understaffed and under-



resourced in a good economy. Explain how in a good economy, where the money has been rolling in, you guys cut back in those very areas that are supposed to provide public health and safety. How do you do it? How do you justify that? How? I don't get it.

You guys are not serious about this bill. I know you're not serious for the following reasons. If you were, you would have sent this to committee for the summer. It's enough evidence for me to say that you're not serious about the bill. It's all fluff; it's all politics; it's all image; it's all, "What can we do before we end this session to talk about something serious? Ah, September 11."

You're connecting to September 11 in a very wilful, sinister way which I find reprehensible, Minister of Labour.

**Hon Mr Clark:** Who, me?

**Mr Marchese:** Yes, I'm waiting for you, Minister of Labour, to do your 20 minutes. I do find it reprehensible.

If you were serious, you would be doing something else with this bill. You would make it happen. You would send it to committee. By not sending it to committee, what you're saying to people is, "This is not serious," except for political image. You're using September 11 for political gain. You are, and it's sad; it's pitiful. I tell you, when you come back here in September—if we do, because I'm not sure whether it'll be September or October—this bill won't go anywhere. This bill, I suspect, will not make the legislative agenda. It will not be important by then. It will have disappeared. It will, because by next September it will have gone. If it were important, you would have introduced it so that when the next September comes, you would have an anniversary to celebrate. It's sad to celebrate tragedies, but you would have been able to do that, had you done it, and make the link back to September 11. But because you're not serious, this means nothing. And while most of the members in our caucus who have spoken said, "We support the bill, under some conditions," I'm telling you they're not serious enough. I am telling you, the way most of our members have said, you're downloading yet another responsibility of emergency management plans down to the city level, where they don't have the money—and you know that.

Chris Hodgson was a municipal politician before, wasn't he?

Brad Clark, was he a municipal politician?

**Hon Mr Clark:** Who, me?

**Mr Marchese:** Yes.

**Hon Mr Clark:** No.

**Mr Marchese:** You weren't, either? OK. I thought you were. No big deal.

The problem is that the city of Toronto is saying, "Look, if you introduce this scheme"—no, it's unfair to call it a scheme—"this plan," because it could be good. The city of Toronto puts a price tag on their enhanced emergency preparedness plan of a \$60-million hit. Can you imagine the city of Toronto being stuck with a \$60-million hit to prepare themselves for an emergency plan mandated by this government, yet given very few

resources to put it into effect? It's dumb. It's reprehensible. It's inexcusable for them to do dumb things like that. But they're doing it. It's all fluff, it's all PR, it's all meaningless pap. It's all linking to a tragedy in a very sinister way. They are.

They are not consulting with the very people who are their friends. And I said—

**Mr Kormos:** Well—

**Mr Marchese:** Municipalities? No, I've got to tell you, the AMO folks, the Association of Municipalities of Ontario, all these little communities out there, that's where these people come from. They—

*Interjection.*

**Mr Marchese:** No, they are. With some exceptions—OK, I grant you that. With some exceptions, here and there and everywhere. But by and large, it's their friends. They're all Tories out there in them little towns. They are.

*Interjections.*

**Mr Marchese:** Yes, they are. And I tell you, they probably know that this is not going to go anywhere. That may be why some of them are not fighting. But the association is saying, "We want to be consulted. We want to be part of those plans," and the firefighters are saying, "You're not listening to us." Do you remember, we think we heard the minister saying, "Gee, we never got that letter"? I think we heard that. Possibly—but I'm not sure. We hear it said that he may not have received the letter from the firefighters, but it doesn't matter, because this bill wasn't designed to go anywhere. It wasn't. If it were designed to go somewhere, it would be in committee for the summer. It would be. Thus I say it's designed to go nowhere—it's designed to go nowhere. If they were serious, don't you think they would be talking to the police? I know Peter Kormos has a lot of friends from the police force. It's true. And I think some other members do too from their communities. But generally speaking, the police association—

**Mr Kormos:** I make my friends with the police the hard way.

**Mr Marchese:** You work for it, I understand. But the police association endorses Tories, generally. But do you think they would do something that would affect the police in a very negative way?

**Mr Kormos:** They're doing it.

**Mr Marchese:** They're doing it, but they're not doing it; that's my point. It's designed to go nowhere. If it was designed to go somewhere, they would have been consulting the police. They would have; I believe that.

**Mr Kormos:** Now I capiche.

**Mr Marchese:** That's it. That's exactly the point.

**Ms Martel:** I get it.

**Mr Marchese:** Well, that's my point. If I've got friends and I don't consult them, they'd be pissed, wouldn't they?

**Mr Kormos:** They'd be what?

**Mr Marchese:** They would be upset, wouldn't they?

**Mr Kormos:** What did you say? Spell that for Hansard.

**Mr Marchese:** He can't hear. That's my point, right? I wouldn't do anything that would hurt in a way that my friends would say—

**Ms Martel:** Especially politically.

**Mr Marchese:** Especially in any which way, but politically it's even worse because you rely on them for your votes. So this isn't going anywhere. They're not consulting experts. They're not consulting civil libertarians, surely, because that's one group they don't consult.

**Ms Martel:** They're a special interest, right?

**Mr Marchese:** Yes, that would be a special interest group. But police and firefighters are another interest group of sorts, and of course they support them, but they're not consulting them. This bill is designed to go nowhere.

I tell you, we've got a lot of public disasters on our hands. Homelessness is a national public disaster. Are they doing anything about that? No, they're not. When we talk about the Safe Drinking Water Act that Marilyn Churley from Toronto-Danforth introduced in this place and is trying to send to committee, which involves us—public health, public safety—why don't they do it? It was in their budget.

**Ms Martel:** They promised.

**Mr Kormos:** Promise made, promise broken.

2150

**Mr Marchese:** Clearly it wasn't a promise they wanted to keep. But it's an issue of public health, public safety: water. Homelessness, housing; there's no strategy to deal with that national disaster. These people have nothing here; they've got nothing whatsoever. What they're doing means nothing. I suspect that once my speech is over—they don't want to deal with anything; they just can't wait for most of these speeches to end so they can go back home.

We're waiting for Chris Stockwell to come and negotiate on the Safe Drinking Water Act, and I haven't seen him for the last couple of hours. Someone has been saying, "We're trying to negotiate." Peter Kormos, our House leader, is right here ready to negotiate. Chris Stockwell is nowhere near this place to negotiate some kind of deal on this issue of public safety, the Safe Drinking Water Act.

They're not serious. You can't take them seriously.

**The Speaker:** Questions and comments?

**Hon Mr Young:** I appreciate having an opportunity to comment on the member from Trinity-Spadina's 20 minutes of entertainment. It was indeed that, as always; he is a fine orator. He is an individual who clearly enjoys being in this Legislative Assembly and is very effective in many respects. Unfortunately, tonight he referenced a number of issues, and I know he will want to have the matters clarified. That's why I appreciate having this opportunity.

In relation to the decrease in spending that he suggested occurred in my ministry, the Attorney General's office, I would point out to him that while there was a decrease in some areas, those were areas that related to one-time arbitration settlements relating to the judiciary.

Unlike the NDP when they were in power, when we make those one-time payments we don't necessarily spend the money the subsequent year; we take that money off the books and ensure that it remains in the taxpayer's pocket.

Similarly, he referenced a decrease in relation to the same area regarding victims. There was some decrease, and that was because the Walkerton inquiry concluded. And while a considerable amount of money was spent on that very important proceeding, we didn't think it was necessary to continue to spend money on a judicial inquiry that had ended. Once again, unlike the NDP, we thought that when the matter had concluded we could conclude the spending.

In relation to the backlog problem that did indeed exist in this province for a considerable period of time, I thought for a moment that he was reading a speech from 1994 when the NDP was in power, when this was a very serious problem. We still have some challenges in that regard, but I will say to you quite proudly that we have made great strides. We have made great improvements, and we will do more.

**Mr Bisson:** Great strides? You've been going backwards at about 100 miles an hour. I just want to say to the Attorney General that your record when it comes to legal aid and the way you guys don't fund legal aid in this province is abysmal. I meet with my legal aid board and with the lawyers who do legal aid. We're at the point now where 30% or 35%—I don't remember the exact figure—of people who are appearing before the courts today are unrepresented because you, Attorney General, will not fund legal aid programs to the extent you need to.

I just had a constituent call me today, Armand Massicotte, who told me of a friend of his who is trying to get before the courts on a variance on an order and is not able to get into the courts because he can't get a ticket through the legal aid system because the Attorney General has reduced the budget of legal aid over the past number of years, not only this Attorney General but those before him.

As I meet with the people who run legal aid in my communities, they're telling me there are fewer and fewer lawyers who are willing to take up legal aid work. So now we've got fewer lawyers who are willing to do it because they find it doesn't pay enough and, second, people are going before the courts who are unrepresented. So don't come into this House and talk about the steps forward that you've made. It didn't happen under our watch, as Mr Christopherson pointed out; it's happening under your watch.

How an Attorney General can stand in this House and say what he just has and allow 30% to 35% of those people going before the courts to be unrepresented, I think is a really bad thing.

Again, to the government House leader and the government whip: we're here. You've still got a few minutes. Get into the House if you want to do something, to pass some of these bills along. We're here, ready to make a deal. We're just waiting for you to be here.



**Mr Wood:** I would like to comment briefly on some of the comments that were made about the effectiveness of the judicial system and our police enforcement. I would invite members to take a look at the net result of what has happened in the last few years. From 1995 to 1999, reported crime in Ontario dropped 28%. That is real, meaningful progress, and that is the net result of the policies of this government.

**Mr Duncan:** The clock is ticking away tonight, and I would like to add my voice to those asking the government House leader and chief whip to come back to negotiate Bill 3, the select committee on health and the environment, Mr Murdoch's bill, Mr Wettlaufer's bill, Mr O'Toole's bill on Irish culture. There have been negotiations. I believe there's some room to move at this late hour. I've offered a proposal that I think can break the log-jam.

It would be a shame for this House to break and have the government in a position where it has to renege on a commitment in its budget, where it forces all of us in effect to leave here without creating opportunities that I think would serve all caucuses well.

With that, I'll move adjournment of the House to give the government another half hour to come back in.

**The Speaker:** I'm afraid you can't do that. You don't have the floor. But I appreciate that anyway.

Response?

**Mr Marchese:** First of all, I want to say that I like the Attorney General. I also want to say hello to his parents and Errol, his brother, who I know very well.

**Hon Mr Young:** You like Errol better.

**Mr Marchese:** Well, he's closer to me politically, right?

I want to say hello to Molinari's mom—the member from Thornhill.

**Interjection:** Say hi to Paula.

**Mr Marchese:** Paula?

**Hon Mr Clark:** She likes you.

**Mr Marchese:** Well, I'm glad. Hello, Paula.

I just want to thank the Attorney General for mentioning that he did make some spending reductions. That was a good fact to have revealed. I want to thank him for revealing as well that he has made great strides in speeding up the backlogs; that was helpful. But you had a good economy. We should never have had one. You should never have had one.

**Hon Mr Young:** Had what?

**Mr Marchese:** A backlog in the first place. Because in a good economy, you're supposed to put money back in, not take money out. Now that you're putting back a couple of bucks, you're saying, "Oh, we're speeding up the backlog."

But with respect to this bill, the Emergency Readiness Act was not designed to see the light of day; it was not. It's not designed to go anywhere. It's just public relations. That's all this bill is about. If you wanted to make it work, you would have done something different. You

would have sent it to committee. You would have consulted with major stakeholders like the firefighters, police, municipalities, civil libertarians and the like.

**Ms Martel:** Paramedics.

**Mr Marchese:** Paramedics as well. You're not serious. This bill was not seriously intended to see the light of day. All I wanted to do was to tell the public that for their gratification.

**The Speaker:** Further debate?

Seeing none, Mr Runciman has moved second reading of Bill 148.

**Mr Duncan:** I'd like to speak.

**The Speaker:** I'm afraid we've already moved it.

Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

**Mr Wood:** On a point of order, Mr Speaker: I would like to ask for unanimous consent for an immediate vote on the second reading of Bill 56, An Act to proclaim Genocide Memorial Week in Ontario.

**The Speaker:** Before we do that, I have to ask the question, shall the bill be ordered for third reading? Agreed.

The chief government whip?

**Hon Mr Baird:** Committee on general government.

**The Speaker:** Committee on general government.

I apologize; the member for London West on a point of order.

**Mr Wood:** I'd like to ask for unanimous consent of the House for immediate second reading of Bill 56, An Act to proclaim Genocide Memorial Week in Ontario.

**The Speaker:** Is there unanimous consent? I'm afraid I heard some noes.

**Mr Ted Arnott (Waterloo-Wellington):** On a point of order, Mr Speaker: I'd like to ask the House for unanimous consent to move a motion respecting the standing committee on justice and social policy and my Bill 30, An Act to amend the Fire Protection and Prevention Act, 1997, in order to protect the employment of volunteer firefighters, and that the question on the motion be put immediately without debate or amendment.

**The Speaker:** Is there unanimous consent? I'm afraid I heard some noes.

Orders of the day?

**Hon Mr Stockwell:** I move adjournment of the House.

**The Speaker:** Mr Stockwell has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

This House stands adjourned until September 23 at 1:30 of the clock.

*The House adjourned at 2201.*

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## Legislative Assembly of Ontario

Third Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Troisième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Thursday 11 July 2002

Jeudi 11 juillet 2002



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 11 July 2002

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 11 juillet 2002

*The House met at 1330.*

*Prayers.*

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** On a point of order, Mr Speaker: I would move that we revert immediately to introduction of bills, waive the other routine proceedings and then recess the House until 3 o'clock. The House will be called back at 3 o'clock.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

OK. Introduction of bills, then, and the Minister of Labour.

**Hon Brad Clark (Minister of Labour):** I seek leave to introduce a bill entitled the City of Toronto labour disputes resolution Act, 2002

**Hon Mr Stockwell:** On a point of order, Mr Speaker: I think the bill inadvertently was not brought to the minister; I think it was tabled. Can I give an undertaking that we will get the bill in as quickly as possible? I seek consent to do just that.

**The Speaker:** To be helpful, and I'll look to the government House leader for guidance, what has been suggested is that we adjourn until 3 o'clock, we come back with introduction of bills—hopefully we will then have a bill—and then proceed from there. Is it agreed to by everybody? Agreed.

I will cause the bells to ring at five minutes before 3, as we normally would, so the members will know.

This House is recessed until 3 o'clock this afternoon.

*The House recessed from 1334 to 1502.*

**Hon Mr Stockwell:** On a point of order, Mr Speaker: I seek consent that this House recess for 40 more minutes and come back and revert immediately to introduction of bills.

**The Speaker:** The government House leader has moved that this House recess for 40 minutes. Is it the pleasure of the House?

This House stands recessed for 40 minutes.

*The House recessed from 1503 to 1543.*

**The Speaker:** The government House leader.

*Applause.*

**Hon Mr Stockwell:** I'm truly humbled by the standing ovation from the Liberals.

Mr Speaker, the third party has some issues with respect to a clause in there and we'll need at least until a quarter after 4 to work them out, so I ask that we recess the House until a quarter after 4.

**The Speaker:** The government House leader has asked for the House to recess until 4:15. Is it the pleasure

of the House? Agreed. This House stands recessed until 4:15.

*The House recessed from 1545 to 1615.*

## INTRODUCTION OF BILLS

### CITY OF TORONTO LABOUR DISPUTES RESOLUTION ACT, 2002

### LOI DE 2002 SUR LE RÈGLEMENT DES CONFLITS DE TRAVAIL À LA CITÉ DE TORONTO

Mr Clark moved first reading of the following bill:

Bill 174, An Act to resolve City of Toronto labour disputes / Projet de loi 174, Loi visant à régler les conflits de travail à la cité de Toronto.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The minister for a short statement?

**Hon Brad Clark (Minister of Labour):** We'll decline a statement at this time.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** Mr Speaker: I seek unanimous consent for the following procedures to be implemented for consideration of Bill 174, An Act to resolve City of Toronto labour disputes, the back-to-work legislation introduced today:

(1) The orders for second and third reading of the bill may both be called today.

(2) Debate on the second reading stage of the bill shall be limited to 45 minutes, with 15 minutes allotted to each party. At the end of 45 minutes, the Speaker shall put every question necessary to dispose of the second reading stage of the bill, without further debate or amendment. At such time, the bill shall be ordered referred for third reading.

(3) When the order for third reading is called, the Speaker shall immediately put every question necessary to dispose of the third reading stage of the bill, without debate or amendment.

(4) If any recorded division is required on any questions relating to Bill 174, the division bells will be limited to five minutes.

(5) Upon completion of consideration of the bill, the Speaker shall adjourn the House without motion until Monday, September 23, 2002.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

**ORDERS OF THE DAY****CITY OF TORONTO LABOUR DISPUTES  
RESOLUTION ACT, 2002****LOI DE 2002 SUR LE RÈGLEMENT  
DES CONFLITS DE TRAVAIL  
À LA CITÉ DE TORONTO**

Mr Eves, on behalf of Mr Clark, moved second reading of the following bill:

Bill 174, An Act to resolve City of Toronto labour disputes / Projet de loi 174, Loi visant à régler les conflits de travail à la cité de Toronto.

**The Speaker (Hon Gary Carr):** Mr Eves, comments?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** This has been a difficult issue for a lot of people. Obviously we would like to see these disputes resolved at the bargaining table, where they should be resolved. We have been able to come forward with a piece of legislation that we believe is acceptable to all three political parties in the Legislature, but more importantly, acceptable to the people of the city of Toronto.

There definitely is, according to the chief medical officer of health for Ontario, a very good chance that there will be a public health hazard in the next few days. I think it is incumbent upon all of us in this Legislature as legislators to take preventive action now, as suggested by Dr D'Cunha, to prevent that from happening. Surely we shouldn't have to wait until we find there is a disaster or a health hazard or something has happened to somebody before we take decisive action.

1620

I would like to compliment members on all sides of the House for their co-operation in this matter, especially both opposition leaders, who have been very helpful in the resolution of this dispute, because I truly believe it is a non-partisan issue. I understand that there may be differences of opinion and there may even be differences in principle as to how you proceed with such matters. But at the end of the day, we're all here to do the right thing. In this case, the right thing is to protect the people of the province of Ontario, especially those residents in the city of Toronto, being its largest municipality. I believe we are taking the decisive action that is necessary, that is recommended by the chief medical officer of health.

I want to compliment, as I said before, the leader of the official opposition and the leader of the third party, who have been very helpful in bringing this resolution about. It isn't very often that the Legislature is called back for an emergency session in the middle of July—I'm sure that many of us had other things we were attending to, especially with relation to our families, in other parts of the province—let alone an agreement to proceed with three readings of an important piece of legislation in one day and to dispense with question period, which I personally appreciate.

**Mr Gregory S. Sorbara (Vaughan-King-Aurora):** It won't happen again.

**Hon Mr Eves:** Never say never, Greg. I think that truly does speak to the spirit of co-operation in this chamber today and in the city of Toronto today. I think the important thing now is to get those people who are employees of the city of Toronto, all 25,000 of them, back to work as quickly as possible, so that we can make sure the city is not only cleaned up, but that there are all these services that should be available to the citizens of Toronto and its visitors as quickly as possible, so we can prevent any potential health hazard from occurring and so people can get back to their normal lives.

**Mr Dalton McGuinty (Leader of the Opposition):** We're here today because the chief medical officer of health for Ontario told us we needed to act. That's why we're here, and that's why our party is supporting this bill.

The medical officer told us there is a real risk to public health. We've got garbage on the streets, which has been accumulating for some time now; we have restaurants that are going uninspected; and we have public health visits not being made to homes that would otherwise warrant public health visits. We're here today in order to eliminate a risk to public health.

At the same time, we have been very intent on ensuring that there is a fair process put in place that will provide for a fair resolution of the outstanding issues between the city and the workers. I can tell you that our caucus met on several occasions and that we have been very active in doing what we could to reach out to both sides.

My concern was that the positions that had been adopted by the parties in this dispute were being reflected by the government and the NDP as well. I hope people will draw some insight into how we will govern. We will not take sides; we will bring sides together. We will not reflect special interests; we will work to uphold the public interest.

I'm glad for the people of Toronto. I'm glad that the garbage will soon be picked up, that people will be able to enjoy a clean city. I'm glad that very soon children will be able to go to daycare, swim in the city's wading pools and participate in summer camps.

But I'm angry that it had to come to this. I'm angry that we had to abrogate collective bargaining rights, and I'm angry that Toronto's reputation throughout all of this has been compromised and that the sense of pride that so many of us feel for the city of Toronto has been affected.

I think it's important that we take the opportunity—because to fail to do so would be to do an injustice to the importance of this issue—to try to understand some of the underlying causes leading up to this problem.

The fact of the matter is that the Mike Harris and Ernie Eves governments have either neglected the city of Toronto for the past seven years or, in other cases, have actually inflicted severe damage to the city of Toronto. I'm talking in particular about the downloading exercise that the Provincial Auditor told us cost the city of Toronto some \$140 million in additional financial responsibilities. This city simply lacked the flexibility to



bargain in the way it should have been bargaining in this matter.

This city needs help with respect to public transit, public housing, infrastructure and schools. I can tell you that Toronto at this time, the beginning of the 21st century, should be flourishing; instead, it is struggling. This city needs a partner, and I can tell you that our government looks forward to being that partner. We look forward to helping the city of Toronto with their transit needs. We look forward to helping the city of Toronto meet their housing needs. We look forward to helping the city of Toronto with their educational needs. And we look forward to ensuring that we can properly leverage Toronto's greatest natural advantage, its diversity.

We look forward to putting the city of Toronto on a sustainable footing so it can properly assume its responsibilities. We also, at the same time, intend to put forward a proposal changing the governance structure for municipal council at the city of Toronto. We need a governance model that will ensure that the city of Toronto can act in an effective way, and they cannot do so at this point in time.

I am very concerned about the city of Toronto. I know it has always been high fashion to criticize the city of Toronto, but the fact of the matter is that Ontario needs Toronto at its best. We need it strong, we need it prosperous, we need it safe, we need it clean and we need it livable. We need its harmony and diversity. We cannot possibly sustain important government services like health care and education in other parts of the province unless our economic engine is firing on all eight cylinders, and the fact of the matter is, it's not.

The city of Toronto should be Ontario's and Canada's showpiece. It should not become known in the international community—I recall that at one point in time the Economist magazine, I think it was, talked about Toronto as being New York run by the Swiss. That was the reputation this great city once had. Now we have a situation where Toronto is acquiring a reputation as a place where they can't pick up their garbage—

**Mr Gerard Kennedy (Parkdale-High Park):** Tent city.

**Mr McGuinty:** We've got tent city. We've got people living on the streets. We're neglecting our inner-city schools; we're closing them or they are in a state of disrepair.

It's time for us to begin to turn that around, and we look forward to participating in that effort.

I had the opportunity recently to participate in the Toronto city summit, and there are a number of wonderful ideas that are being put forward that will help put Toronto on the footing it properly deserves. We need a world-class city in Ontario, we need a world-class city in Canada, and that city, without a shadow of a doubt, has to be the city of Toronto. We need Toronto to become renowned for its arts and its culture, its universities, its research and development, for its business clusters. We need Toronto to become known throughout the world as a place where people want to come and visit and a place

where people want to come and stay. That's what we need. We're not going to get that for this city unless we begin to turn things around, unless this government begins to move beyond its neglect of the city of Toronto, begins to move beyond its agenda for damage for the city of Toronto and, instead of spending another \$2 billion in tax breaks for corporations, we begin to make Toronto a more livable and prosperous community.

**1630**

I'm not sure there are that many winners here today with respect to this issue. You've abrogated bargaining rights. The people of Toronto have been deprived of garbage pickup for some time and other important services, especially for their kids. But the important thing is that we have been able to resolve this. We are pleased that we were able to play some positive role in bringing the sides together, and I can tell you that we very much look forward to working with Toronto, the people in this community, to ensure that we put this city on a sustainable footing, a city that becomes known nationally and internationally not for the fact that it had trouble picking up its garbage but for the fact that it's strong, prosperous, safe, clean and livable.

**Mr Howard Hampton (Kenora-Rainy River):** It's not often that we can come to the Legislature and say we've all found something we can agree on, but in fact I think today we can say we've all found something we can agree on, and I want to thank a number of people who did an awful lot of work and who otherwise may not get credit.

One way we communicate in the world of politics and government is through this Legislature, so we speak to one another formally—not always politely, but formally—and sometimes things get accomplished that way. But oftentimes the most fruitful discussions are discussions that happen when this place is not sitting or when the so-called formal negotiations have been interrupted or recessed for a time. They happen through a phone call that is made to someone on the other side suggesting, "Why don't we talk?"

So I want to give credit to a number of people, but one person in particular whom I want to give credit to is Mr Ross McClellan. As many of you will know, Ross McClellan has worked with the Ontario Federation of Labour; he's a former NDP House leader. Ross took it upon himself to call someone in the Premier's office to say, "We need to have a talk." Out of that discussion, a lot of good things happened. There was a meeting of the minds on a number of issues, and I want to say thank you to the Premier for following up on those discussions between an official in your office and Mr McClellan.

I think members of the public need to know that there are really two essentials to what's happening here. The first is, you have to have a process that the two sides in disagreement can come together on. The process we've agreed upon is a mediation-arbitration process. It's not final-offer selection, it's not pushing one side against the wall; it's called mediation-arbitration. I think there's a recognition here that both sides can have confidence in that process.

A lot of that was worked out, as we know, yesterday and yesterday evening, where there was a coming together of minds that mediation-arbitration was the way to go. But the second critical part of the process is that you have to agree upon a mediator-arbitrator who will have the confidence of both sides. I think we all know that generally you're looking for someone or a number of people with experience, who have the knowledge, who have a relationship of trust and who are generally regarded as being fair and reasonable people. That was the finishing touch. Again, I give Mr McClellan a lot of credit for saying this is what needs to happen now and I give people in the Premier's office credit for following up on that, because I think the names that were finally agreed upon are those of people who everyone involved in labour relations would recognize are very credible people.

I want to share some time here with my House leader, Mr Kormos, because I want to recognize Mr Kormos, for New Democrats, did an awful lot of the spadework at meetings that went well into the evening.

Before I do that, however, I just want to say to all the people, not just of Toronto but people across the province, that the collective bargaining process is not always neat and tidy. Most of the time, 95% or 96% of the time, it is; 95% or 96% of the time it results in agreements that both sides can live with and work with, where both sides know where they stand and what resources will have to be put together. Three or four or five per cent of the time it requires the kind of work that has been engaged in over the last couple of weeks. It's not always tidy, it's not always neat, and I think the physical evidence is out there on the street for people to see that, but it is the process that, if you reflect across the world, works the best. So I just want to give credit to everyone who was involved in finally bringing this process this far. People in both union locals, who have done incredible work, yesterday evening were starting to put forward possible names of mediator-arbitrators, recognizing when they did this that it was going to be a risk.

I also want to recognize again that the government has done a wise thing here. Four days of debate, five days of debate, six days of debate would not have left anyone in a winning position. But I believe that by reaching this agreement, we've done a good thing for everyone. Most of all it is a good thing for the people of Toronto and it is, I believe, a good thing for labour relations in the province.

Again, I think good work has been done by a lot of people, and a lot of people deserve credit for that.

**Mr Peter Kormos (Niagara Centre):** Let me say first—

*Interjections.*

**The Speaker:** Stop the clock.

The member for Niagara Centre has the floor.

**Mr Kormos:** Thank you kindly, Speaker. Let me say first and as clearly as anything could ever be said that I believe, like my colleagues in the New Democratic Party believe we and continue to believe, that trade unions, the

trade union movement, its membership and its leadership have done and continue to do more to create social and economic justice than any other institution in our society. I say to you, Speaker, that CUPE and its locals—Locals 79 and 416—are there at that vanguard, have been and I'm confident will continue to be in the struggle for social and economic justice, not just for their own members but for all other working people, women and men across this province, be they unionized or not.

I want to tell you that my colleagues in this caucus, my leader Howard Hampton and I have been proud to stand shoulder to shoulder, arm in arm with members of CUPE Local 416 and Local 79 on their picket lines. We admire and applaud their courage, their tenacity and their solidarity. We admire and applaud their commitment to social justice, not only for their members, but for the working people in their community here in the city of Toronto.

**1640**

Let's make one thing very clear: it's never wrong to fight for good jobs and it's never wrong to fight for job security and it's never wrong to fight to ensure that your kids are able to work at the same jobs their mother or father did for a lifetime before they assumed retirement.

I say to you that I want to thank—

*Interjections.*

**The Speaker:** Order. The member for Niagara Centre has the floor. The House leader for the official opposition, come to order, please.

Member for Niagara Centre.

**Mr Kormos:** I want to tell you that I want to very specifically thank Brian Cochrane, president of Local 416, and Ann Dembrinski, president of Local 79, not only for their leadership during the course of what have been very difficult negotiations—not difficult as a result of their commitment and their hard work, but difficult as a result of a city management and, more particularly, a mayor of the city of Toronto who abandoned the bargaining table literally months ago and very, very clearly did it in a most visible way over the course of the crisis during this strike, creating that crisis over the course of the last three weeks. These working women and men engaged in negotiations and resolved the vast majority of matters at issue between themselves and their employer, and they did it in a way that not only was successful but that produced positive, productive results for their members.

I want to thank Brian Cochrane and Ann Dembrinski for their incredible hard work, along with so many of their colleagues, so many of them here in this members' gallery today, over the course of the last 32 hours as people in this assembly worked hard to negotiate and structure a piece of legislation that has as its primary goal the restoration of effective negotiations between these working women and men and their employer, and that facilitates their return to work while guaranteeing that that negotiation is going to take place under the supervision of a mediator with the inevitability of arbitration by a fair, unbiased, neutral arbitrator who is acceptable to both parties, one of the most critical elements of any



arbitration that one could ever imagine. We'd better reinforce for people right here and now—and I don't care what part of the multihundred-year history of arbitration one canvasses—that the fundamental legitimacy of arbitration rests on the acceptance by both parties to a dispute being arbitrated that that arbitrator be a neutral, independent and fair player in the process.

These workers now are going to have an opportunity to complete the negotiations that were terminated by Mel Lastman with his intransigence around balancing and completing the responsibilities he has as an administrator, but the responsibilities that he similarly has to these CUPE members who are members of this Toronto community and taxpayers as well.

I want you to know that every member of this caucus has worked long and hard over the course of the last day and a half, speaking with CUPE members out there on the line, working hard with CUPE leadership, working hard with other trade union leadership and representation from the Ontario Federation of Labour, to develop a process for CUPE members that completes the job they began during their negotiations, but a job that Mel Lastman frustrated and indeed would have terminated had it not been for the perseverance of these members.

Marilyn Churley, Rosario Marchese, Michael Prue, all with their unique Toronto perspectives—and I acknowledge that we from outside Toronto have a very different perspective of community than Torontonians. Many of us, like myself, are from what I call smaller-town, smaller-community Ontario. That doesn't make the work of public sector workers any less important in Toronto, but the way it's done is certainly far different.

Let me close by mentioning this: just as it is never wrong to fight for good jobs, just as it's never wrong to fight for job security, it is surely never wrong for people with a commitment to quality public services, whether it's at the provincial or the municipal level, to fight for the maintenance of those municipal public services. The struggle by these CUPE members, their locals and their leadership has been as much about the preservation and maintenance of quality municipal public services as it has been about anything else, certainly more so than it has been about wages. Their struggle has been about the future, not of themselves, but the future of their community and the quality of service in their community, and New Democrats stand with them in that struggle. New Democrats stand with these public sector workers at the municipal level, just as we stood with provincial public sector workers—OPSEU—during their long and difficult strike but a few months ago.

Let me say to you I am proud to have stood on picket lines with these women and men. I am proud to speak with them here in the Legislature. I am proud of my colleagues here in this caucus who have worked together as a caucus in solidarity with these working women and men to advance their best interests in what are and what were even far more difficult circumstances, with far more extreme consequences.

I am pleased to speak clearly and loudly, saying I have no qualms about being strictly on the side of working

women and men. I don't see any need for balancing acts. What is in the interests of working people like these CUPE members is in the interests of all Ontarians and all Canadians. New Democrats have never been afraid to say that. New Democrats have never been afraid to stand with trade unionists. New Democrats have never been afraid to join in the fight with working women and men to advance the interests of those same working people. Thank you kindly, Speaker.

**Hon Mr Stockwell:** Mr Speaker, on a point of order: I understand the speech just made by the House leader for the third party, and his very close personal friend whom he's worked closely with for the last little while, the president of Local 79. I just alert you that her name isn't Ann Dembrinski; it's Ann Dembinski.

**Hon Mr Clark:** Today is a historic day for the Eves government and it's a day of affirmation for me as the Minister of Labour. When the Premier called me on April 14 and advised me that he would like me to take on the responsibilities as Minister of Labour, he asked me to take it on in a manner that was conciliatory, that was based on consensus, and that I would reach out to the labour community and develop harmonious labour relations in the province of Ontario. That's what we have done, and I'm pleased to be part of a government that has done that.

The government's throne speech commitment was to deliver both responsible and responsive leadership, leadership with the strength to listen and the courage to act, blending common-sense solutions with a common sense of purpose. I'm proud to be part of a government that doesn't search for headlines but searches for solutions.

We have the profound responsibility to ensure the health and safety of all who live and work in the city of Toronto. This is a responsibility that we do not take lightly. We have shown leadership and decisiveness in introducing the City of Toronto Labour Disputes Resolution Act, 2002. This legislation would order a return to work of the striking city of Toronto workers and restore its public services. The people of Toronto deserve no less.

It's important to note that this is about health and safety. A threat has prompted Ontario's chief medical officer of health, Dr Colin D'Cunha, to recommend that we take action to prevent a potential risk to public health. Maintaining the protection of public health and safety can be balanced with the rights of employees and employers to participate in collective bargaining. Because both parties in this dispute cannot resolve their differences between themselves, people are at risk. That is something that we, this government, cannot stand idly by and tolerate. Negotiations between Locals 416 and 79 and the city of Toronto have indeed hit an impasse. All parties in this House recognize this and have agreed to unanimously support this legislation. We all share the concerns of Ontario's chief medical officer of health for the health and safety of those who live, work and raise a family in the city of Toronto.

1650

It would appear to me that we have unanimous consent. We have unanimous support for this bill because we all know that we cannot stand idly by. We cannot, we will not, risk public health and safety. We will not wait until someone gets sick. In this case, the collective agreements expired more than six months ago, on December 31 of last year. Since that time, the Ministry of Labour has worked diligently to bring the two sides together. For Local 416, a conciliator was appointed on January 24. She met with the parties 32 times before a no-board report was issued, and an additional 24 times after that as the mediator. The same effort went into the talks involving Local 79, here starting on February 4: 24 conciliation and 17 mediation meetings were held. From June 22 to June 26, marathon round-the-clock bargaining took place with the assistance of Ministry of Labour mediators, and yet, at the present time, the talks have stalemated.

Disappointed? Yes, we're all disappointed that the city and the union locals have been unable to reach an agreement. The government does not want to step in. We encourage collective bargaining. We asked them to bargain in good faith, to get back to the table. But unfortunately in this situation an impasse occurred. It is better for the parties to reach their own agreements, but when necessary, government intervention is the last resort.

We recognize that harmonious labour relations are best achieved and maintained when the workplace parties, the employers and employees, can resolve their differences at the bargaining table. The best solutions are always when the two parties are working willingly together to agree and accept the terms of the new contract. This provides an environment of stability for both the employer and the employee, allowing them the confidence to make important decisions for the future.

Today we do not have harmonious labour relations between the city of Toronto, its workers and the union. We also have a community at risk. It is the lack of these harmonious labour relations that has led to the conditions that have the potential to threaten the health and safety of our fellow citizens. It's not only an inconvenience; it's not about bad odours; it's the potential risk to public health. It's the potential risk for communicable diseases. This is not acceptable to the government. We will not, we cannot, accept a risk to public health and safety.

That is why we are here today. That is why all of the members of the Legislature have acknowledged the importance of this bill. The City of Toronto Labour Disputes Resolution Act, 2002, with all-party support, will quickly end the strike and get services back to normal. We on this side of the House trust that the city, the union and its members will work together to ensure a fast cleanup. The people of Toronto can reclaim their city.

**Mr Dwight Duncan (Windsor-St Clair):** I just want to stress the importance of free collective bargaining and the importance that working people have a level playing field. I believe that the resolution that all three parties came up with today provides that. There were difficult

discussions between the House leaders of the three parties yesterday that, at the end of the day, fell apart on what we felt was an issue that they should not have fallen apart on.

This morning, when we spoke to the unions involved, we found participants who were willing to find a solution to the most difficult of the problems left from last night. Then this morning we began to speak to people across the province—indeed, we had to track a number of them down throughout the country—to see if they'd be interested in performing this task and this role. We found a dozen people who were interested and we were happy to pass those on early this morning. We spoke to someone in Nova Scotia; we spoke to somebody two floors below the labour minister's office who hadn't been spoken to; we spoke to a person at his cottage; and kept passing those names on.

The dispute resolution that was found in these discussions is one, in our view, that meets the needs of providing a fair and equal process. The third party deserves credit for having put that on the table yesterday and allowing us to get to the point where there was only one issue outstanding today.

The Minister of Labour deserves credit for responding affirmatively to a number of the initiatives. I think all of us would agree that we've got a solution that will serve the interests not only of resolving this strike and dealing with the needs of the people of Toronto, but more importantly, hoping to put free collective bargaining back on a level footing in the city of Toronto so that in the future these disputes can be avoided and the consequences accordingly avoided.

All of this is in the context of the history and tradition of free collective bargaining, the importance of working people having the ability to organize and bargain freely, fairly and effectively. There have only been a couple of occasions in the history of this province when that has been taken away. It has resulted in long-term problems—problems around the social contract that remain today and have poisoned free collective bargaining and the relationship between public sector employees and employers.

This represents the efforts of a number of people. I applaud those who have stood and said that free collective bargaining must be at the heart of whatever the solution is. My leader led the way on that. This party continues to believe in and support the principles of collective bargaining. We believe this agreement reflects that.

We're happy that we've been able to find a number of people willing to serve as the arbitrator—people who were acceptable this morning to the union, to the city and to the government; names that weren't put forward last night; names that came forward this morning. So I believe that what has been achieved today is significant, not simply because the immediate problem is being solved for Toronto, but because the principles of free collective bargaining remain strong and in place. Working people can count on their elected representatives to



make sure that when those talks break down and the process no longer works, the elected political leadership will make sure that working men and women are on an equal footing with their employer, whether that employer is public or private sector.

That has been fundamental to the history and development of our prosperity in this province. It is fundamental to the fact that working people in this province have a higher standard of living than most places in the world. It is fundamental to the fact that our quality of life has been hailed year after year by the United Nations as the highest in the world, even among developed countries. The ability of workers to organize and bargain and get their fair share must be protected. This Legislature has done that, in spite of difficult odds. This process can resolve this situation.

But what we are most happy about is that the principle, the right, of working men and women and families to bargain freely and collectively has been protected. Now we can go forward, realizing that these problems can be solved. There is a level playing field for everyone. Now the difficult stuff begins. We're confident that everyone will come out satisfied with the resolution of this, but most importantly, that free collective bargaining, the right of working men and women to organize and bargain freely and fairly, has been protected in all of this.

**The Speaker:** Further debate? Seeing none, pursuant to the order of the House, I am now required to put the question.

Mr Eves has moved second reading of Bill 174, An Act to resolve City of Toronto labour disputes. It is the pleasure of the House that the motion carry? Carried.

The bill is ordered for third reading.

#### CITY OF TORONTO LABOUR DISPUTES RESOLUTION ACT, 2002

#### LOI DE 2002 SUR LE RÈGLEMENT DES CONFLITS DE TRAVAIL À LA CITÉ DE TORONTO

Mr Stockwell, on behalf of Mr Clark, moved third reading of the following bill:

Bill 174, An Act to resolve City of Toronto labour disputes / Projet de loi 174, Loi visant à régler les conflits de travail à la cité de Toronto.

**The Speaker (Hon Gary Carr):** Pursuant to the order of the House, I am required to put the question immediately.

Mr Stockwell has moved third reading of Bill 174, An Act to resolve City of Toronto labour disputes.

Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

This House stands adjourned until Monday, September 23, 2002.

*The House adjourned at 1700.*

## ERRATUM

No.	Page	Column	Line(s)	Should read:
28A	1439	2	30-31	Bill 69, An Act to protect victims by prohibiting profiting from recounting of crime / Projet de loi 69, Loi

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Davenport	Caplan, David (L)		Wetlaufer, Wayne (PC)
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Scarborough East / -Est	Gilchrist, Steve (PC)		

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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Thursday 11 July 2002

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## Legislative Assembly of Ontario

Third Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Troisième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 23 September 2002

Lundi 23 septembre 2002

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 23 September 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 23 septembre 2002

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### INVESTOR PROTECTION

**Mr George Smitherman (Toronto Centre-Rosedale):** Media speculation about the government's priorities includes the suggestion that legislation to protect against corrupt practices in public companies will be forthcoming.

Fifty per cent of Ontarians are direct or indirect investors in the stock market, and they have lost billions. Freedom 55 has given way to talk of Freedom 75, and gallows humour about eating cat food in retirement has even been heard here among the media at Queen's Park. We need to acknowledge that for millions of Ontarians, the stock market has become the real Canada pension plan. Walkerton teaches us that regulation without enforcement is inadequate protection. We need to let ma and pa know that if some corrupt player weasels them out of their investments in a public company, Ontario will protect them, not by suffocating them with paper, but by prosecuting them with vigour.

Ontario Liberals demand that any government initiative include a commitment to public hearings and that a significant enforcement tool be part of any legislation. Over the summer, while the Minister of Finance was tooling around the Molson Indy track, I established a working group and we reviewed reforms from the US Congress and the New York Stock Exchange. We considered the work of the five-year review led by Purdy Crawford. We examined the proposals put forward by the OSC and the TSX, and we followed the debate in the financial media. We will be active in this debate, because average Ontarians have seen their life savings evaporate and their dreams of financial independence sacrificed.

The real test of whether Ernie Eves is sincere about enhancing protection is whether he is prepared to enforce the rules he writes. Inadequate enforcement will be a signal to investors that in Ernie Eves's Ontario, sloganeering is the real rule of law.

#### JEFF TIMMERMANS

**Mr Bert Johnson (Perth-Middlesex):** I rise in the Legislature today to recognize Jeff Timmermans from Stratford.

Seven years ago, Jeff's wife, Toni, was diagnosed with Alzheimer's at the age of 67. Jeff, an avid cyclist, decided to meet this challenge by cycling across Canada to raise awareness of Alzheimer's and the effect it has on families, and to raise money for the Alzheimer society and Alzheimer research. Jeff named his journey Miles for Memories and chronicled his journey across Canada on his Web site, [www.milesformemories.ca](http://www.milesformemories.ca).

On June 1 of this year, this 74-year-old retired farmer started his 8,000-kilometre cross-country tour in Port Renfrew, British Columbia. Cycling 90 to 100 kilometres each day, Jeff reached the final leg of his tour over this past weekend and cycled into St John's, Newfoundland. He will officially conclude his journey later today by dipping his bike into the Atlantic Ocean at Cape Spear, Newfoundland.

I want to take this opportunity to congratulate Jeff on completing his journey and for the energy and determination he displayed. Jeff is also to be applauded for his efforts to raise awareness and contributions for Alzheimer's. I also want to recognize the Alzheimer Society of Perth County and other organizations and volunteers from Perth county who have helped make Jeff's journey a great success.

Please join me in recognizing Jeff Timmermans, a truly remarkable Canadian.

#### ENVIRONMENTAL PROTECTION

**Mr James J. Bradley (St Catharines):** For years the government of Ontario was an environmental leader, prodding the federal government to take aggressive action to clean up and protect the environment and trying to persuade reluctant provincial governments to tackle tough environmental challenges.

Sadly, there's a new axis developing, an axis of environmental regression, with Ralph Klein, the Alberta Premier who has dismissed environmental concerns throughout his career, teaming up with Ernie Eves to torpedo the plan to reduce greenhouse gases and clean the air in Canada.

At a time when bold environmental leadership is needed, Ernie Eves and his ministers are toeing the Klein line, fighting every effort to take meaningful action to meet the provisions of the Kyoto accord and trotting out old, discredited arguments that were stale 30 years ago.

While scientists around the world warn us of the dire consequences of global warming and Ontario residents choke on dirty air, the Eves Conservatives engage in a

war not against environmental degradation but against those who are prepared to move quickly and boldly to deal with air quality problems that, according to the Ontario Medical Association, result in 1,900 premature deaths per year and \$9.9 billion in costs to our health system and the economy annually.

The last thing Ontario needs is a lecture from a man whose environmental vision can only be described as bizarre and neanderthal and a subservient, whimpering Eves government enthusiastically joining the Klein team.

Why is it that we have to put up with Conservatives always telling us why the environment cannot be cleaned up instead of taking aggressive action to do just that? It's time to abandon the Klein crusade and to join the green team.

**Mr Gilles Bisson (Timmins-James Bay):** On a point of order, Speaker: That's a terrible thing to say about Neanderthals. I do that in defence of my friend here, who has—anyway, we won't go there.

#### MINISTER'S COMMENT

**Mr Gilles Bisson (Timmins-James Bay):** I rise today to thank the Minister of Northern Development and Mines, one Jim Wilson, for having spent money in the community of Kapuskasing. We know that recently he was up north spreading the good news of money in northern Ontario, which they don't often. But we did get some money.

But I was a little bit dismayed when I read the paper the next day and he had the following to say in *The Daily Press*: "Wilson added the province is pouring money into northern Ontario and they don't even have an elected" member in their caucus.

I just want to say that I am upset, as a northerner, that the Minister of Northern Development and Mines would not recognize a number of key members of his own caucus—none other than the newly elected Al McLean from the riding of Nipissing. I know he was here.

**Interjection:** AL McDonald.

**Mr Bisson:** AL McDonald from Nipissing, the newly elected member. I see him here from time to time doing work on behalf of the people of northern Ontario, here from Nipissing. But never mind. What's worse, it used to be the former Premier's riding, and the Minister of Northern Development doesn't seem to know that Mr McDonald is in his own caucus.

But it doesn't stop there. We all know Ernie Eves. He comes from a riding that's now called Muskoka-Parry Sound. That was won in a by-election by none other than Norm Miller. I've seen Norm Miller here in the Legislature from time to time and I know he's a member of the Tory caucus and I know he advocates on behalf of his riding.

I just want to say to the members across the way, I recognize that you work on behalf of your constituents, I recognize that you're from northern Ontario and you might be in the Tory Party. But I think you've got to give

a geography lesson to your minister and let him know that your ridings are in northern Ontario.

#### VOLUNTEER FIREFIGHTERS

**Mr Ted Arnott (Waterloo-Wellington):** Volunteer firefighters are vital to public safety in most of the communities throughout Waterloo-Wellington and the province.

Many volunteer fire departments are strengthened by the expertise of double-hatters, who are so called because they are full-time firefighters in cities and also serve their home communities as volunteer firefighters.

The Ontario Professional Fire Fighters Association is using coercive tactics aimed at forcing these double-hatters to quit as volunteers, and some have. They want to phase out all double-hatters and they have raised a levy on their members for the cost of legal action in their fight against Bill 30, the Volunteer Firefighters Employment Protection Act.

I have high regard for all our firefighters, but on this issue the professional firefighters' union leadership is wrong.

Bill 30 was supported in principle by the House on June 6, and if passed it would protect the right of full-time firefighters to also serve as volunteer firefighters and put a stop to the strong-arm tactics being used against them.

The Association of Municipalities of Ontario, the Fire Fighters Association of Ontario and, so far, some 69 municipalities have indicated support for my bill. Recently, the Large Urban Mayors' Caucus of Ontario passed a resolution signed by Mayor Hazel McCallion supporting my bill.

1340

I want to remind the House about the situation faced by Tim Lee. He works as a professional firefighter in Whitby and serves his home community of Little Britain as a volunteer firefighter. Mr Lee was charged by his union for volunteering and his case was put before a trial board on August 20. That board is deliberating on his fate. He has worked hard on behalf of volunteer firefighters and has brought me a petition containing about 4,000 signatures asking for legislation to protect double-hatters from these coercive tactics. I plan to present the petition in the House this afternoon.

I'm determined to move forward with this protection for volunteer firefighters, and I urge the standing committee on justice and social policy to begin public hearings on Bill 30 immediately.

#### BIATRIC SURGERY

**Mrs Sandra Pupatello (Windsor West):** I am very pleased to be here today with a group of very brave individuals. We have a very brave group of people in the gallery today, that is, people representing those in Ontario who need bariatric surgery, more commonly known as stomach stapling. This surgery is for obese



people whose last resort is this stomach stapling surgery. Many of these patients know they will face early death without this procedure.

Because of budget cutbacks at the London Health Sciences Centre, they decided therefore to drop the program even though the wait times have increased dramatically since then. We have people here today from Toronto, from Guelph, from Windsor, obese people being represented here at Queen's Park, to tell the government that we need to have the program. Please do not add to the discrimination that obese people face every day. Please make this program available so that they too can become healthy.

I have to tell you that 28% of Ontario's population is considered overweight to the point of being a health risk. This is a dramatic number, made more dramatic by the fact that it has doubled in the last 10 years. Obesity-related illnesses cost our health system \$1.1 billion a year. Doesn't it just make financial sense? And if you don't do it for the finances, do it because everyone deserves to have equal opportunity to good health. On behalf of these people, help.

#### ALO NORTH AMERICA

**Mr Bart Maves (Niagara Falls):** This past Friday, I had the opportunity of attending the grand opening of Alo North America's new North American headquarters and distribution centre in Niagara Falls.

Alo North America is a subsidiary of AB Alo Maskiner, a Sweden-based manufacturer of farm equipment. AB Alo Maskiner is the world leader in the production of front loaders for farm tractors. Alo North America acquired a Niagara-based company in 1998 and relocated to Niagara Falls six years ago. Alo currently employs 26 people in Niagara Falls.

Alo recently expanded, with the construction of their new 29,000-square-foot facility located in the Montrose Business Park, in order to meet the growing demands in North America for their product.

It was an exciting time to be at this event last week. It was punctuated with traditional Swedish food and drink, an ABBA tribute band, and a visit from hockey great Borje Salming.

When a company like Alo expands, it's evident that our local and Ontario economies are still strong. The confidence of one international company helps to attract even more new businesses to Ontario. Our government's policies are creating a positive business climate. Companies like Alo across Ontario continue to expand in response to Ontario's competitive tax environment.

Congratulations to Scott Marshall, Dana Hoover, president of Alo North America, and everyone else affiliated with Alo. I wish you all continued success.

#### EARLY YEARS CENTRES

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** Three years ago Mike Harris

unveiled the Early Years Study by Dr Fraser Mustard and the Honourable Margaret McCain. He promised to follow through on the recommendations of their report that called for early years centres to be community-based, flexible and accessible to all children. The study showed that investments made in the first six years of a child's life set the stage for future success.

Now, three years later, Mustard and McCain have confirmed what the Ontario Liberal Party and Dalton McGuinty have been saying for months: Mike Harris and Ernie Eves have broken their promise to Ontario's children.

The Eves government has turned what was supposed to be community-based programs into a top-down political exercise. You fired local steering committees and replaced them with political appointees. These committees were in place for less than a year when you disbanded them. Then you directed that early years centres would be placed in every riding in Ontario, totally abandoning the notion of a community-based service.

You collapsed the ministry of the child and continued your ABC policy—Anything But Childcare.

This report states your plan is “a fragmented, bureaucratically controlled strategy that will fail to reduce the problems associated with poor early child development in Ontario.” It is a scathing indictment of this government's failure to invest in our most precious resource, our children.

#### AIDS WALK

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** Today I would like to pay tribute to the many people with HIV/AIDS and their families and friends. Yesterday's AIDS Walk was held to raise funds for prevention and support and to raise awareness.

The care, treatment, support and prevention of HIV/AIDS are priorities for all members of the Ernie Eves government. To sustain our initiatives, our government will spend almost \$50 million in 2002-03 for HIV/AIDS-related programs.

I am proud of the strength of the HIV/AIDS program in Ontario, which is due in large measure to the collaboration of thousands of volunteers and member organizations and the tremendous support from Ontario's Ministry of Health and Minister Tony Clement.

In 1998, our government announced the allocation of \$10 million to establish the Ontario HIV Treatment Network, the community-linked evaluation AIDS resource unit and the injection drug user outreach program.

The 37 provincial boards of health collaborate with physicians to monitor case management and provide education and support to appropriate sites.

Casey House, a 12-bed residence and hospice program for people at the end stages of AIDS, offers medical and nursing services, counselling and nutrition services. The Ministry of Health funding projection for Casey House for 2002-03 is \$2.7 million.

Finally, I wish to pay tribute to the many volunteers and community workers whose tireless efforts have lightened the burden of people living with HIV/AIDS and their loved ones. Together we can and will defeat this disease.

### VISITORS

**The Speaker (Hon Gary Carr):** Before we continue, we have with us today in the Speaker's gallery visitors from the Republic of Ireland. They are the chair and members of the Louth county council. Joining us are Jacqui McConville, chair of the county council; Ronan Denny, the CAO of the county council enterprise agency; and Liam Woods, who is chair of the Louth county council enterprise agency. Please join me in welcoming our honoured guests.

### REPORT OF CHIEF ELECTION OFFICER

**The Speaker (Hon Gary Carr):** I beg to inform the House that on September 18, 2002, the 2001 Annual Report of the Chief Election Officer of Ontario was tabled.

### REFERRAL OF BILL Pr9

**The Speaker (Hon Gary Carr):** I also beg to inform the House that the Clerk has received a favourable report from the Commissioners of Estate Bills with respect to Bill Pr9, An Act respecting The Elliott. Accordingly, pursuant to standing order 86(e), the bill and the report stand referred to the standing committee on regulations and private bills.

### INTRODUCTION OF BILLS

#### SUSTAINABLE WATER AND SEWAGE SYSTEMS ACT, 2002

#### LOI DE 2002 SUR LA DURABILITÉ DES RÉSEAUX D'EAU ET D'ÉGOUTS

Mr Stockwell moved first reading of the following bill:

Bill 175, An Act respecting the cost of water and waste water services / Projet de loi 175, Loi concernant le coût des services d'approvisionnement en eau et des services relatifs aux eaux usées.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The minister for a short statement?

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** If passed, the bill would help ensure the sustainability of water and sewer systems in this province. This is a key step in meeting our commitment to implement all of the other recommendations

contained in the Commissioner O'Connor report on the Walkerton inquiry.

The consultations will be an essential component of implementing the bill. We plan to hold extensive meetings with our municipal partners and other stakeholders. We are listening to stakeholders and driving ahead on the commitment to the principle of full-cost accounting and recovery, both key aspects of Commissioner O'Connor's recommendations.

We all need to know the true cost of water and the services that we take for granted. It's the only way to ensure it. I encourage all honourable members to give speedy consideration to this legislation and the amendments that arise during consultation.

*Interjection.*

**Hon Mr Stockwell:** From the applause from the member for St Catharines, I can only assume he is fully in favour.

1350

### MOTIONS

#### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):**

I move that, notwithstanding standing order 96(d), the following change be made to the ballot list for private members' public business:

Mrs Marland and Mr Tascona exchange places in order of precedence; and

Mr Beaubien and Mr Klees exchange places in order of precedence; and

Notwithstanding standing order 96(g), notice for ballot items 55 through 58 be waived.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Statements by ministries? That brings us up to oral questions.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: It is our understanding that the Premier was to be here for question period and we are now at question period.

**The Speaker:** The government House leader for clarification.

**Hon Mr Stockwell:** Mr Speaker, the understanding, I take it, is correct. I think we went through the process fairly quickly, the routine proceedings, so therefore I would expect the Premier to be arriving momentarily. If you'd like, you could stand down your first questions or we could take just a moment and wait for the Premier to come in.

**The Speaker:** I take it that the first question from the leader of the official opposition is for the Premier. We could stand it down.

**Mr James J. Bradley (St Catharines):** Mr Speaker, I'll help you out with a point of order, which is this: I



would ask unanimous consent of the House this afternoon to revert at this point in time to the rules of procedure which governed this Legislature in 1992.

**The Speaker:** Is there unanimous consent? No. I thank the member. That now allowed us time for the Premier to arrive. I appreciate his help.

## ORAL QUESTIONS

### SCHOOL BOARDS

**Mr Dalton McGuinty (Leader of the Opposition):** My question is, as expected, to the Premier. You have now assumed full responsibility over three school boards in the province of Ontario: Hamilton, Toronto and Ottawa. When you did so, you made a promise that none of the cuts forthcoming from your hand-picked supervisors would affect what went on inside the classroom, and yet the first cut made to the school board in Ottawa was to fire 50 special-ed teachers. That affected at the elementary level, Premier, just so you know, 1,505 students. At the high school level that has affected 1,645 students.

I ask you, Premier, on behalf of those students and their parents and our community, what happened to your promise to ensure that your cuts did not affect our students?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** First of all, those teachers were not fired, as you put it, as you described it. Their responsibilities were changed. They are teaching in the classroom at the Ottawa school board.

This government has a commitment to special education in Ontario. It is, this year, \$1.4 billion, far, far more—

*Interjections.*

**The Speaker:** Premier, take a seat. Order. Come to order, please. I can't hear the Premier.

Sorry, Premier.

**Hon Mr Eves:** —than the Liberal government of David Peterson ever, ever dreamt of spending on special education in Ontario. We are the first government in the province of Ontario who actually made sure that school boards spent that money on special education, which not all did before the Mike Harris government came into being.

**Mr McGuinty:** Premier, those teachers who were providing those services to our students in need of special assistance are no longer doing their work. There are over 3,000 students now who used to be getting special assistance who are no longer getting that assistance. You can put forward all the double-talk you want, but the fact is, families and students in our community have been hurt by your decision to cut special education in the city of Ottawa.

I ask you again, Premier: what about your promise to ensure that your hand-picked supervisors would not make cuts that would cause harm to our students?

**Hon Mr Eves:** In his first question, the leader of the official opposition said these teachers were fired. Now, in his second question, he's saying they have different responsibilities. Talk about doublespeak. As a matter of fact, the supervisor lifted the hiring freeze on teachers in the Ottawa board.

**Mr McGuinty:** Premier, we don't need supervisors in Ottawa, Toronto and Hamilton. What we need are more supports for our students. That's what we need. We need more investment in special education, we need more investment in English as a second language, we need smaller classes, we need better training for our teachers, and so on and so forth.

We have a plan that has been out there for a long time and we'll be adding more to it shortly. What I'm asking for on behalf of Ontario students is, when are you going to demonstrate some leadership when it comes to improving public education for all our students?

**Hon Mr Eves:** The leader of the official opposition will know, of course, that the government is spending \$557 million more on public education this year than they did last year. He will also know—

*Interjections.*

**Hon Mr Eves:** I don't know which Dalton McGuinty is talking today. He says that he would not have put in supervisors. The Dalton McGuinty of September 4, 2002, just a few days ago, said that if school boards ran deficits under a Liberal government, "We would be all over them like a cheap suit."

### AIR QUALITY

**Mr Dalton McGuinty (Leader of the Opposition):** The question is for the Premier. You should know our trustees could get the job done if they had sufficient resources.

I spent much of the summer travelling the province of Ontario and listening to people. I've got to tell you, they know their air is bad, and they are sick and tired of it. They are expecting you at some point in time to do something about it. Your commitment to shut down our dirty, coal-fired furnaces 13 years from now is completely inadequate. They are tired of having their kids suck on puffers. They are tired of our seniors being effectively held prisoner during the 26 record smog days we had this summer.

I put forward a clean air plan. It's aggressive, it is ambitious, it is workable and it is essential. What are you going to do, Premier, about cleaning up our air?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** Nobody is in favour of dirty air. Everybody's in favour of cleaning up the environment, but you have to have a responsible, thoughtful plan when you go about doing it.

First of all, you'll know that 68% of the power generated in the province of Ontario comes from generation sources that do not produce greenhouse gases. I'm sure he knows that to start with. We have a plan, of course, to eliminate the coal-powered plant at Lakeview

by 2005. We have turned down sales of two coal-powered facilities at Thunder Bay and Atikokan this summer because the proposed purchaser would not agree to eliminate coal-powered generation at those facilities. And we have in place procedures that will result in 80% reduction of nitrous oxide pollution by the year 2003 at Lambton and Nanticoke.

We have a reasonable plan; we are following through with it. It wasn't dreamt up—

**The Speaker (Hon Gary Carr):** Order. The Premier's time is up.

1400

**Mr McGuinty:** Premier, that is not good enough. You may be prepared to sit on your hands for 13 years while 1,900 people die a premature death every year, while 13,000 people, mostly kids, have to go to emergency rooms. The single greatest cause of admission into Ontario hospitals today, Premier, you should know is asthma, aggravated by bad air. Taxpayers are spending over \$1 billion annually on health care costs and lost work days. We are not prepared over here in our party to sit down for 13 more years while we burn coal in Ontario.

The people of Ontario are expecting some leadership from you, sir. Leadership is not an option when you are the Premier of Ontario. We submitted a plan. Take our plan, Premier, and run with it.

**Hon Mr Eves:** If the leader of the official opposition is suggesting to the people of Ontario that doing what he suggests be done, even though he knows it would cost \$6 billion, even though he knows it's not practical, even though he knows it would generate brownouts and blackouts across Ontario, including in those hospitals he purports to help, he would know that even if he did all that, tomorrow morning at 9 o'clock, the majority of air pollution in the province of Ontario comes from our great neighbours to the south, the United States of America. He knows that. It's a fact of life. There are over 200 coal-powered plants in the United States of America whose bad air ends up especially in southwestern Ontario, where over 90% of the pollution is caused by US pollution, not by Ontario pollution.

That's not an excuse for us not doing our job here. We will do it. But I don't want him to be operating under some fantasy that if we clean it all up, tomorrow morning at 9 o'clock there will be no air pollution in the province of Ontario.

**Mr McGuinty:** I guess we'll just blame it on those bad Americans and there's nothing at all that we here in Ontario can do.

Nanticoke is the single biggest coal-fired generator of electricity in North America. On an annual basis it generates the equivalent of 3.5 million cars' worth of pollution. Your new scrubbers that you want to spend a quarter of a billion dollars on, do you know what they're going to do in terms of reducing our contribution to greenhouse gas emissions? Zero. That's exactly what they're going to do when it comes to reducing our

contribution in the province of Ontario to greenhouse gas emissions.

I believe fundamentally this is about the health and well-being of the people of Ontario, and I think one of our first responsibilities in this Legislature is to ensure that we are doing everything we possibly can to clean up our air and to contribute to their quality of life. So I'm not prepared to sit on my hands and wait for the Americans at some point in time to do something, maybe, possibly.

Your responsibility, sir, with the greatest of respect, is to do everything you can today to clean up our air. That's what our plan is all about. Why don't you run with it?

**Hon Mr Eves:** The leader of the official opposition will know that OPG is installing equipment right now in Nanticoke, as he speaks, that by next year will result in over 80% of nitrous oxide emissions being reduced at Nanticoke. He will also know that the same thing is happening at the Lambton plant of which he speaks. We've already talked about shutting down Lakeview with respect to generating power by coal, we've talked about Thunder Bay and Atikokan, and I can tell you those actions are a hundred million times more than your government did when you were in power, when you did absolutely nothing.

## HYDRO RATES

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. Your government has said over and over again that Hydro deregulation and privatization would be good for the environment and good for consumers. This summer the people of Ontario got all the bad air, and then the consumers opened up their hydro bills and discovered 40% increases from Wawa to Hamilton to Toronto. Consumers are pretty angry, Premier. They want to know why they should be paying substantial amounts more for electricity when your government said their hydro bills will go down.

Premier, how much money will consumers have to fork out before you admit that hydro privatization and deregulation are a failure?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** First of all, the leader of the third party might want to wait until he finds out a year's worth of prices before he starts jumping to conclusions about the warmest summer on record in Ontario since 1955. I know that he used to blame Mike Harris for the weather, and perhaps I'll get blamed for it now, but the reality is that we have had the warmest summer on record since 1995.

There is a plan in place, of course, to rebate in excess of 3.8 cents per kilowatt hour to customers in Ontario. And I'm sure he's aware of the 32 new projects that have been started that do not emit greenhouse gases in Ontario and what that would mean. But I presume we can answer those in supplementary questions.

**Mr Hampton:** Premier, I was merely asking you what all of your former energy ministers said, the former



energy ministers who said the price of electricity will go down, the former energy ministers who said this would be good for the environment.

I was in Wawa and Sault Ste Marie last week. People in Wawa have bills that have doubled. The major employer, River Gold Mines, has pointed out that their bill was up 34% and they can't sustain those prices. The other major employer indicated that their bills were up 52% and they can't sustain those prices. As I say, it's not just Wawa; it's Kitchener, it's Hamilton, it's Toronto. It's virtually everywhere across this province.

Premier, how many jobs do you intend to drive out of the province before you admit that your scheme for privatizing and deregulating Hydro isn't working?

**Hon Mr Eves:** The leader of the third party will know that prices in Ontario in the months of May and June were down, on average, and he will know that prices in July and August were up, on average.

My advice to him is still the same as the first question he asked: he might want to wait until he has a year under his belt and can compare prices for an entire year and see whether prices are up or down. Why wasn't he on his feet screaming about lower prices in the months of May and June?

**Mr Hampton:** I want to paraphrase what your friends in California said as the hydroelectricity market became more and more unreliable and prices went through the roof. They said, "Wait and it will get better." The history was that consumers, businesses and industries were ripped off and taken advantage of. That's the reality.

Your ministers have said, "Oh, we can't possibly have a shortage of electricity in Ontario." Guess what? This summer, Chris Stockwell and Jim Wilson had to import electricity because there was an electricity shortage. You're even wrong on that point.

As you proceed with privatization, if you sell off more and more of the plants, what you do is you open us up to more and more of the Enron-style manipulations of the electricity market.

Can you tell us, Premier, is hydro privatization and deregulation unfolding as you planned?

**Hon Mr Eves:** I don't know where he's been for the last 50-plus years in Ontario. For your information, we have been importing power for decades upon decades at Ontario Hydro. That is a normal course of events, has been for decades in Ontario, and nothing has changed.

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### SCHOOL BOARDS

**Mr Howard Hampton (Kenora-Rainy River):** To the Premier as well, and I like how the Premier is making it up as he goes along.

Premier, your scheme for school board control is ripping even more money out of our schools and putting it in the pockets of public relations consultants and your political chucks.

First you took over school boards and installed your supervisors. Then we discovered that school boards will be on the hook for more than half a million dollars in salaries for these men, some of them prominent Conservatives. Now we find out that they're hiring public relations consultants. In Hamilton, your supervisor has hired somebody called Best Communications. In Ottawa, your supervisor has hired not one but two public relations consultants.

Premier, will you tell us how much of our school budget you are prepared to squander on your supervisors and their public relations consultants?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I'll have the Minister of Education answer this question.

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I think the leader of the third party needs to keep in mind that there was the opportunity, in the case of all of these three school boards, to have presented a balanced budget, since they were presented with balanced budgets by the staff. Unfortunately, they chose not to do so. So what has happened now is that we have supervisors in order to ensure stability and to ensure that students returned to class and were able to continue to receive the high quality of teaching they had become accustomed to.

**Mr Hampton:** The Minister of Education makes it sound as if all the school boards needed was to hire a PR consultant and everything would be fine. You and your Premier talk about putting kids first, but let's just follow the paper trail here.

Your government has no money for special education—39,000 students across the province are waiting—yet you found \$1.4 million for back-to-school advertising. Your government has no money for basic school supplies at a number of our schools, but your supervisors in Ottawa, Hamilton and Toronto are going to take money out of their school budgets to hire spin doctors and public relations propaganda consultants. You found the money for plum contracts for your supervisors and your public relations consultants.

Would you agree with us, Minister, that the money should have gone to special education, textbooks and basic school supplies, not to your political friends and your propaganda artists?

**Hon Mrs Witmer:** In the last few months, our government has invested an additional \$557 million into public education. We are spending more than ever in the history of this province.

Furthermore, we continue to make sure that all students in this province, no matter where they live, no matter which board they're part of, have access and that the money is actually spent on special education. As you well know, before our government was elected that was not always the case. The money directed to special education was not always used for the children in the classroom. We will continue to make additional money available for special education.

## HYDRO RATES

**Mr Dalton McGuinty (Leader of the Opposition):**

My question is to the Premier. Earlier this spring, the Provincial Auditor warned that your failed energy policies would cause rate increases in Ontario. Specifically, he said that your mismanagement connected with the \$1 billion in cost overruns and delays in starting the four nuclear reactors in Pickering would cause hydro bills to soar. Your minister at the time said, and I have the quote here, "That's not going to drive rates up."

I'm asking you on behalf of Ontario ratepayers, why have you failed to protect them?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I refer the question to the Minister of Energy.

*Applause.*

**Hon John R. Baird (Minister of Energy, minister responsible for francophone affairs):** Thank you.

Obviously, we're tremendously concerned with the slower commissioning of the four reactors at Pickering A. We would have liked to see reactor number 4 come on board quicker than that. But we are making some important investments—at least the Ontario Power Generation company is making some important investments—to ensure that environmental measures are protected, to ensure that nuclear safety and reliability enhancements are made, to ensure that we're meeting the stringent regulatory requirements brought in by the federal government.

We're also spending a substantial amount on safety. These reactors, which were designed back in the 1960s and 1970s, are in need of some significant improvements. We're not going to take shortcuts. We're going to ensure that we can look everyone in the eye in the Durham region, that their safety will not be put at risk, and as well that the important 2,000 megawatts that will be available through the grid are available to ensure that we can provide a reliable source of energy for all consumers in Ontario.

**Mr McGuinty:** It's hardly an auspicious start for the new minister, Speaker.

Minister, your government was going to take control of Ontario Hydro. You were going to bring it to its knees, you were going to wrestle it to the ground, and all of this was going to be to the benefit of Ontario ratepayers. Ratepayers are having a shocking experience now when they read their electricity bills. Your predecessor specifically said that the problems connected with Pickering—those cost overruns, the delay in time in getting everything back up on track—were not going to affect electricity bills. The Provincial Auditor at the time said, "Yes, it would."

I'm asking you now, Minister: in your new capacity, what are you going to do to protect Ontario Hydro ratepayers?

**Hon Mr Baird:** In order to protect ratepayers, in order to protect the safety of the people of Ontario, we're going to ensure and Ontario Power Generation is going

to ensure that we take the time to ensure that Pickering A is brought on-line in a responsible fashion.

We are not going to take shortcuts. We are not going to ensure a half-baked idea—you cannot go to Wal-Mart or Canadian Tire and pull off the shelf repairs for a nuclear reactor. We're not going to hire Homer Simpson to fix it. We're going to fix it right, and that'll be in the best interests of taxpayers in Ontario.

## FAMILY SUPPORT ORDERS

**Mr Garfield Dunlop (Simcoe North):** My question today is for the Attorney General. Minister, I think that all members of this House share the commitment that families and children who rely on support orders should receive the payments they are entitled to. It is a matter of fairness and respect for the law.

However, there are some individuals who try to avoid their legal responsibilities by moving to other jurisdictions, in particular the United States of America. These people feel that by leaving Ontario's borders they will be able to turn their back on their commitments to their families and to the law.

Minister, these people need to know that leaving Ontario does not mean that they can run away from their obligations to their families and their children. What steps have been taken to make sure that money owed to these families will be collected regardless of where the payer lives?

**Hon David Young (Attorney General, minister responsible for native affairs):** I thank the member for the question. No child should ever go without simply because a parent crosses the Canada-US border. That's why I am so pleased that this past summer we, together with Attorney General Ashcroft in the United States, signed an agreement that will allow for easier enforcement of support orders issued in Ontario in all 50 states of the United States of America. Indeed, the reciprocal is true as well: Americans who have individuals living in Ontario who owe money as a result of support orders will be able to have those support orders more easily enforced. This will affect some 2,000 Ontario families. It is essential that we move forward with agreements like this, not only with our American colleagues but with other jurisdictions.

**Mr Dunlop:** Thank you very much, Minister, and that's certainly a positive step for those families. However, I'm also interested in what action is being taken against payers who live in other provinces. While in Ontario we can use measures such as driver's licence suspensions to collect arrears owed here, we may not have some ability to enforce orders in other provinces like BC and Nova Scotia.

What action is being taken to make sure that no matter where these individuals go, they won't be able to avoid the responsibilities to their families and to their children?

**Hon Mr Young:** Indeed, Premier Ernie Eves prioritized this matter and it was dealt with at a recent federal-provincial conference. It is a matter that was dealt with in



this House in a preliminary fashion by the introduction of our interjurisdictional support order, a bill that will come back for second reading in short order and a bill that I am hopeful will get passed in short order. It is a bill that will allow for easier enforcement between provinces in this country, so that if a payer resides in Saskatchewan and the dependent children and family reside in Ontario, those orders can be enforced in a quick, efficient and timely fashion.

I believe as well that most of the other provinces have moved in this direction, and credit should be directed toward the individuals in those provinces and in particular the Premiers and Attorneys General who have made significant progress in this matter. This is another bill that will ensure that no child shall go without.

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### NATURAL GAS RATES

**Mr Dwight Duncan (Windsor-St Clair):** I have a question for the Minister of Energy. Minister, two weeks ago Union Gas consumers, one million across Ontario, began receiving notices from Union Gas of an application for a retroactive increase in natural gas prices. It has come to our attention that at 4 o'clock last Friday, the Ontario Energy Board released a decision allowing those increases—indeed, Minister, not only allowing the increases but also allowing Union Gas to charge interest on the amounts outstanding. Do the minister and government agree with this decision of the Ontario Energy Board?

**Hon John R. Baird (Minister of Energy, minister responsible for francophone affairs):** This government believes it is obviously important to have administrative and judicial agencies that operate at arm's length from the government so that corporations, consumers and citizens in Ontario can get a fair hearing. I think the member opposite would be the very first member to demand that a minister resign if they attempted to get involved with issues that normally go before these adjudicative bodies. That is a process which I certainly understand.

Back in 2001, there were some significant increases in the cost of natural gas, and in recent months we've seen substantial decreases.

**Mr Duncan:** Minister, number one, you will know that your government gave yourselves the power in 1998 to review those policies and decisions. I would urge you to do that.

Number two, earlier this year, Union Gas, which was owned by Westcoast Energy, was acquired by Duke Energy in North Carolina for \$8 billion. Last year, Duke Energy reported an operating profit of US\$1.8 billion. In its filings with the Securities and Exchange Commission for the periods under question for this rate increase, their profits are approaching US\$500 million.

Does the minister think it's appropriate to continue to raise rates retroactively for constituents and consumers across this province in light of the fact that the company

applying for them is in fact very profitable and is making more money than it has ever made before?

**Hon Mr Baird:** Obviously this is an issue that goes back a period of years, perhaps for part of the period preceding the deal which he just spoke about. I do think it's important that we have an arm's-length body, an adjudicative agency, in this case very ably chaired by a former New Democratic member of this place, Floyd Laughren, who has exercised his responsibilities in a very serious and thorough fashion.

I think it's an important principle that both companies and consumers have the ability to get these issues decided by an administrative tribunal that operates at arm's length from the government. The importance of that independence has been raised probably every single day that we've sat in this House, in one case or another, by members of the opposition. I suspect if I did, they would.

### ROYAL CANADIAN AIR FORCE MEMORIAL MUSEUM

**Ms Marilyn Mushinski (Scarborough Centre):** My question is for the Minister of Culture. Last Friday you announced our government's investment of up to \$766,643 for the Royal Canadian Air Force Memorial Museum expansion. Having been designated as Canada's national air force museum, it boasts an impressive collection that reflects Canada's proud military history, including a full-scale replica of the Burgess-Dunne aircraft, uniforms, medals and an art collection, to name but a few.

Through SuperBuild, I understand the Ontario government has invested close to \$300 million to improve and build new sports, culture and tourism facilities in over 200 communities across this province. I wonder if the minister could tell this House how this SuperBuild recipient plans to leverage the provincial funds.

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet, Minister of Culture):** There's so much to say on this really worthy project, the RCAF museum in Trenton. They're planning to expand the facilities to not only house this Halifax bomber which they're building but also provide extended classes or tours to children.

They plan to leverage this through big donors and small donors, but mainly through veterans who have written in and indicated their support for this great project. Their main fundraiser right now is the Ad Astra Stone campaign, which is taking place this weekend.

I am happy to say that at the same time we presented a cheque from the government for about three quarters of a million dollars, my wife presented a cheque on behalf of our family to the RCAF museum and the Ad Astra Stone to recognize her father, Roy Kerr, who was a warrant officer of 162 Squadron with five tours of duty, was missing in action three times and was awarded the DFM.

These are the types of people who support the RCAF vets, and that's why I believe that the fundraising cam-

paign will be a success. All of us need to recognize what our veterans have done for this country in the past.

**Ms Mushinski:** Thank you for that response, Minister. I know that there are many constituents in my own riding of Scarborough Centre who will be very happy to hear that.

The expansion of this museum is a fitting tribute and particularly timely in light of current events. We all know that our armed forces continue to make valuable contributions to the war on terror and to peacekeeping operations around the world.

We also know what an enormous value the Royal Canadian Air Force Memorial Museum provides Ontarians and, indeed, all Canadians, for that matter. Our contribution during World War II must not and will not be forgotten. There is no doubt that our government's investment will enable the RCAF Memorial Museum to leverage new funding partners. What can you tell this House about those efforts of the many dedicated people and the 100 volunteers and service people to make this dream a reality?

**Hon Mr Tsubouchi:** First, I'd like to recognize the efforts of Dr Galt, who brought this project to the attention of SuperBuild; a number of local municipal officials as well: Bob Campney I know for certain at the city of Quinte West, and almost everyone in that whole area, supported this particular project.

When we receive a letter like this from someone who said, "On April 25, 1944, my only brother was killed in a Halifax bomber over Antwerp, Belgium. I know this request is for taxpayers' money, but it is also in honour of those who gave their lives for the taxpayers' freedom"—The member is quite right. We just had the September 11 remembrance. It occurred just a short while ago. This is a reminder of what our armed forces have done for this country. It's worthy of being remembered. It's worthy of reminding our future generations of the role our veterans have played to keep our countries safe and free.

#### CHILD CARE

**Ms Shelley Martel (Nickel Belt):** I have a question to the Premier. I'm challenging you today to act in the best interests of our youngest children. Statistics Canada reports that Ontario parents are now paying more for child care than parents in any other province in this country. The average household spending on child care in Ontario has increased 65.7% since 1997. Because of your cuts, Ontario parents are now paying, on average, \$30 a day per child per regulated space.

We have a better and a brighter idea for those families: \$10-a-day child care and the creation of 20,000 new \$10-a-day child care spaces in Ontario. That would make high-quality child care affordable and accessible to Ontario families, and it would respond to recommendations made by Fraser Mustard and Margaret McCain, who said that high-quality child care was fundamental to early childhood development.

Premier, \$10-a-day child care in Ontario: will you implement it?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** The honourable member will know, of course, that the province of Ontario is investing over \$2.2 billion a year on children in the province of Ontario. This is up 66% since 1995.

I understand that she has a different point of view with respect to child care than perhaps others do. I take it from her question that she believes that the only good child care is publicly subsidized child care, and I appreciate that point of view. But we on this side of the House have introduced different methods: of different people, average hard-working Ontarians, being able to get child care credits on their income tax system, number one; and the only form of child care in Ontario isn't that which is provided and subsidized by the government.

1430

**Ms Martel:** Today the Ontario Coalition for Better Child Care, the Elementary Teachers' Federation and Campaign 2000 all called on your government to act immediately to have affordable, regulated child care. They pointed out that of the \$114 million your government received from the federal government last year for early childhood development initiatives, not one penny was spent on regulated child care. They also pointed out that since April of this year, you have received \$150 million from the federal government for initiatives on early childhood development and you have not even announced what you're going to do with that money.

Recently, your own child experts, Mustard and McCain, were very critical of your government for failing to do anything positive with respect to child care, and this was one of the key recommendations they made in their Early Years Study. They said, and we say, that high-quality, regulated child care gives families and children the best possible start. It's not a luxury; it's a necessity.

I ask you again, Premier: \$10-a-day child care in Ontario—will you implement this plan?

**Hon Mr Eves:** I appreciate the honourable member's question. She talks about \$150 million that the federal government has given to the province of Ontario. I've explained to her, in response to her previous question, that this year we're spending \$2.2 billion on early child development in Ontario.

I would agree that the province has not implemented everything, obviously, that McCain and Mustard recommended to it. However, we have done some good things. For example, we've opened up early care centres. Some 42 of them are now operating in Ontario and some 61 additional ones will be operational by next year.

We've done things for autism. We've done things for early literacy. We've done things for Healthy Babies, Healthy Children. Perhaps it isn't exactly what McCain and Mustard would have liked to see us do and perhaps we have to do better in the future, and we will. We are spending \$2.2 billion this year on children in Ontario.



## LONG-TERM CARE

**Mr John Gerretsen (Kingston and the Islands):** My question is to the Premier. You and your government caused great distress, anxiety and fear among the residents of our long-term-care homes this summer when you introduced, in the dark of night, an increase of 15% in their long-term-care rates, or \$230 per month.

You set the moral tone for this government, Premier. What are you going to do about it? Why don't you answer the thousands of petitions we have received and do the right thing by rescinding this outrageous increase that you darned well know our seniors cannot afford? Many of these people have lived on fixed incomes for the last 25 years. Do the right thing. Let's look after our elderly properly in this province and rescind the outrageous increase you implemented this summer.

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** The associate minister responsible for long-term care.

**Hon Dan Newman (Associate Minister of Health and Long-Term Care):** Our government has indeed heard the concerns from residents of long-term-care facilities. We heard the concerns of their families, and we heard the concerns of stakeholders within the system. The concern was that there needed to be more money in the system for nursing and personal care.

That's why the Ernie Eves government, on July 31 of this year, announced \$100 million of new funding to enhance the delivery of nursing and personal care services across our province. We also announced \$98 million in capital funding to build and expand the system, as part of our government's \$1.2-billion expansion of long-term-care services in the province, to build those new beds that are required.

We also announced a three-year phase-in of the resident copayment. We are actually increasing the minimum income threshold for seniors in the next three years. That's our commitment to the seniors in this province and those who require long-term-care services.

**Mr Gerretsen:** Premier, I'm very disappointed that you wouldn't answer that question. You set the moral tone for this government. You are allowing people who have absolutely no other alternative, who live in homes, who basically want to live out their lives in dignity and respect, to be attacked by you and your government, and you are not even man enough to deal with that issue in this House.

I'm asking you once again: do the right thing and rescind the increase that you authorized this summer. It simply is not the right thing to do. You know it; you answer the question.

**Hon Mr Newman:** Some \$100 million has been added to the long-term-care system to provide additional time for those residents of long-term-care facilities. That's going to translate into some 2,400 nurses and personal care workers added to the system. It's approximately four full-time-equivalent nursing positions per 100-bed facility.

It has always been the case in this province that income is not a barrier for those who require long-term-care services. Any resident who cannot afford to pay the copayment can apply for a rate reduction.

## NUISANCE BEARS

**Mr AL McDonald (Nipissing):** My question today is for the Minister of Natural Resources. Earlier this month you announced the nuisance bear review for the province of Ontario and unveiled the membership of the review committee. This issue of nuisance bears has certainly been a topic of conversation in my riding of Nipissing, as well as others, I'm sure. Minister, could you tell us what you are doing to address these concerns?

**Hon Jerry J. Ouellette (Minister of Natural Resources):** I thank the member for Nipissing for the question. I know the member himself has had bear problems in his own driveway in his own riding, which certainly adds to it. We need to look at an in-depth review in order to properly address the people's concerns regarding the potential or the increase of nuisance bears throughout the province.

That's why on September 6, 2002, I announced a full review of the nuisance bear issue. This is a broad and complex issue. Due to the conflicting thoughts on its origin, pinpointing the cause of the increase will take an expansive and concerted effort. Therefore, it would only be reasonable to appoint a diverse and experienced group to head up this review, and that's exactly what we've done.

**Mr McDonald:** Thank you, Minister. You've touched on my next question. What will be the role of this committee, and what aspects of this subject will you be looking at as this review takes its course in the months to come?

**Hon Mr Ouellette:** Whether it's in Atikokan or Ignace or Thunder Bay, where I was last week, it's certainly a question that has come forward. We look at all aspects of bears, as it is a very complex issue, including the biology, the literature, the geographic and socio-economic factors relating to the perceived nuisance bear increase. It will also look at the municipal impacts and compare the effects of bear activity from jurisdiction to jurisdiction. The primary goal of this committee is to gather the most up-to-date information possible from the numerous sources throughout the province relating to all factors that make up this issue. Then we will be able to make an educated and practical decision on how we best manage bears in the province.

## SCHOOL CLOSURES

**Ms Caroline Di Cocco (Sarnia-Lambton):** My question is to the Minister of Education. Viable, full schools in my riding are slated for closure: Holy Rosary at 105% capacity; St Helen's at 95% capacity. Most of the students walk to these schools and don't need busing. All of the Catholic elementary schools in Sarnia-Lambton are

at over 100% capacity; their average is 105% capacity. There's no room for either the St Helen's or the Holy Rosary kids at any of the other schools.

You certainly have not reined in any of the school boards regarding how many schools they close, even if there are no apparent criteria as to why they should close them. I'm asking you, will you put a moratorium on school closures, as already has been requested by Dalton McGuinty, considering these devastating consequences caused by your flawed funding formula?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** In response to the question from the member from Sarnia-Lambton, I had the opportunity last week, on Tuesday, to visit two schools in your riding. One was a separate school, elementary, and one was a public school, elementary. I have to tell you I was very impressed with the dedicated, hard-working teachers in the school and the very enthusiastic students I saw in the school.

I also had an opportunity to meet with the parents, who obviously are taking some issue with the decisions the board has made thus far regarding school accommodation. The message remains, as it always has, that school accommodation reviews—the decision to build new schools and close other schools—remain as prerogatives of the locally elected school board, who are in the best position to respond to local concerns.

1440

**Ms Di Cocco:** I know you visited a couple of elementary schools in Sarnia-Lambton. It also came to my attention that the people at those schools were given instructions by your handlers not to ask questions regarding school closures, budgets or lack of books. That's what I was told.

When it comes to forcing school boards to balance their inadequate budgets and cut programs, you have intervened. But when it comes to the interests of the students and school closures, you wash your hands of your responsibility.

I'm going to ask again if you will put a moratorium on school closures. You take action when it comes to school boards balancing their budgets. Now it's about the interests of the students and the community. Will you put a moratorium on school closures for the sake of the students, the neighbourhood and the community?

**Hon Mrs Witmer:** Just a note of correction: I actually met with the parents in a private setting. So I can tell you that they had full access to me and they had the opportunity to be as honest as they possibly could, and I thought we had a good, frank, open discussion. So I can assure you there was a lot of frankness and honesty.

Maybe I should remind you of your leader's position on school closings. On May 7, 1999, "Mr McGuinty ... promised no school would shut unless the community decided to do so. He later corrected himself saying the decision would be made by the local trustees." Then in April 1999, "We'll keep schools open in your com-

munities," and in 2002 in Ancaster, "Mr McGuinty does support closing schools."

Do you know what? We're not sure what your leader supports. Is he for or against closing schools? We don't know.

## OCCUPATIONAL HEALTH AND SAFETY

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** My question is for the Minister of Labour. I understand that you recently met with the Sarnia safety partnership co-operative, a unique initiative that is helping improve workplace health and safety in that city. Could you please tell the House what you learned at your meeting?

**Hon Brad Clark (Minister of Labour):** I want to thank the honourable member for his question, and I really hope the opposition members are listening here. Sarnia has something to be very proud of. They have a safety partnership that is a co-operative of leaders of local industries, construction contractors and trade unions.

### *Interjections.*

**Hon Mr Clark:** They're applauding. They're applauding the petrochemical valley for what they've actually done: zero lost-time injury rates. That's what they're trying to do in Sarnia, an incredible accomplishment, identifying and implementing best practices, motivating everyone to care about safety and establishing an active network to coordinate and sustain safety initiatives.

You know, when I started standing in this House and talking about changing the culture about injuries in the workplace, the opposition guffawed. But in Sarnia they're proving us right. It can be done, and we're going to spread the message across Ontario.

**Mr Gill:** Minister, the Sarnia safety partnership co-operative truly seems to be making a difference in that community. Could you tell us what your ministry is doing to improve workplace health and safety across the province?

**Hon Mr Clark:** It's a very good question. My ministry is working with Ontario's workplace health and safety system, including the WSIB, the Workers Health and Safety Centre, the occupational health clinics for Ontario workers and 12 different industry-specific workplace associations. Our message is straightforward: we want to prevent injuries. So we're working together as a team—union leaders, industry, employees—everybody working to the end goal of eliminating workplace injuries.

I've committed my ministry to do what is necessary to ensure that Ontario workplaces are among the safest in the world. As of today, we have reduced lost-time injuries by 30%, so we're proving very clearly that we can make Ontario the best place to live, work and raise a family.



## SOCIAL ASSISTANCE

**Mr Tony Martin (Sault Ste Marie):** My question is for the Premier. I'd like to invite you to get a taste of what your punitive social assistance policies are doing to the people of this province. Because you slashed supports by more than 21% over seven years ago, people on social assistance are forced to live in abject poverty.

Marilyn Churley, Michael Prue and I have accepted a challenge from the Daily Bread Food Bank to attempt to live on the budget that your government has imposed on people who need social assistance. After paying for rent and basic expenses, this budget leaves us with \$12 to buy food for eight days. Policies like your government's clawback of the national child tax benefit supplement are forcing people to try and feed themselves on less than \$2 a day.

Premier, will you join us and test the effects of your government's policies and get a taste of poverty in Ontario, or better still, will you stop the clawback and give children on social assistance their money?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** With respect to the money given to children by the federal government, I believe I have answered that in a previous question by one of your colleagues. Feel free to do whatever you and other individuals want to do, with respect to making your point. I respect the decision that you've made.

**The Speaker (Hon Gary Carr):** Supplementary.

**Mr Michael Prue (Beaches-East York):** Like my colleagues, I am attempting to live for one week—actually eight days—on \$12.05. That's what our poorest citizens have to do day in and day out. Part of the reason they have to do that is the double whammy you've given them: the Tenant Protection Act, which raises their rents far beyond their ability to pay, and the fact that your government has not built one unit of social assisted housing in seven years in this city or in this province.

The Daily Bread Food Bank invited you and all of the colleagues on your side of the House to walk in the shoes of a social assistance recipient for one week. Not one of you agreed to do it. Is it because they don't wear the same kind of Gucci shoes, or is it because you simply could care less?

**Hon Mr Eves:** I respect your decision and those of your colleagues to do whatever you feel is appropriate to make your point. I respect your right to stand up in this House and make that point. I think that the action you and your colleagues have taken is admirable. I wish you well in your endeavours. That doesn't mean everybody in the world has to think the way you do or follow in your footsteps. And for your information, speaking of footsteps, I've never owned a pair of Gucci shoes in my life. Maybe you have.

## SCHOOL BOARDS

**Mr Richard Patten (Ottawa Centre):** My question is for the Minister of Education. You stated in your press

conference here when you announced the movement to have the so-called supervisor—what a crazy name; it's really a dictator—that you did this because the Ottawa board was not co-operative, when you know full well that the board chair wrote to you and suggested, from the forensic auditor—imagine that, they send in a forensic auditor, a criminal investigator—

*Interjection.*

**Mr Patten:** That's what it is—to take a look at the books of the school board. Mr Rosen himself identifies over \$39 million in underfunding from the government, and the school board itself has a deficit of \$23 million. There was a lot of room for negotiations. Why did you not take that opportunity to sit down with that school board chair and work out some kind of arrangement?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** It's an interesting question, but I think the member has either been misinformed or forgets that the request, actually, to send in an investigator, have someone take a look at the Ottawa books, had been made by the chair, Jim Libbey; it had been made by other members who live in the Ottawa community. We responded to the request. In fact, when we sent in the investigator, Mr Libbey thought him to be a well-qualified, competent individual. It was only when the results of the investigation were made public that there was any criticism.

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I would also let you know that I did, as my very first official trip as Minister of Education, travel to Ottawa to meet with the chair of the board and the director of education in order that we could resolve together the problem they had with balancing their budget. I made many overtures, and at the end of the day, all Mr Libbey wanted was someone to come in and take a look at the books. We did that.

**Mr Patten:** I spoke to Mr Libby this morning. He said that you never responded to his letter in offering a way out of this situation. So yes, everybody asked for one because we thought that you'd provide a fair arrangement. You sent in this turkey, who is an absolute turkey—

*Interjections.*

**Mr Patten:** I'll say that. I've never heard any kind of auditor make the kinds of statements that he made. He was making judgments about the trustees etc.

You didn't answer my question. There are \$39 million that Mr Rosen identified as potential areas of dealing with the budget. And you know as well as I do that even the Peel board today came out and said that many of the other boards throughout Ontario—

*Interjection.*

**Mr Patten:** It's a false balanced budget. At least that board was honest, and you hit them over the head for it as an example for others to keep them in line. Why would you do that?

**Hon Mrs Witmer:** I would just simply repeat what I've said before. Many attempts were made to work with the chair of the board and the board in Ottawa in order that we, as a government, and we at the Ministry of

Education could assist them in balancing their budget. Unfortunately, even though they were presented with balanced budgets, they came to the conclusion that it was not their desire to pass a balanced budget or to work with us.

### TOURISM

**Mr Steve Gilchrist (Scarborough East):** My question is for the Minister of Tourism and Recreation. In Saturday's Toronto Star—I'm always keen to give as much publicity as possible to that publication—there was an article about the decline of tourism in Toronto. According to Star reporter Maureen Murray, "Thousands of jobs are at stake; some have already vanished. The public coffers are being denied millions in tax dollars. The tourism industry is worried." The article also states that hotel occupancy in greater Toronto is down 7.4% in the first half of this year, while the national decline is 2.7% for the same period.

Minister, I would like to know what your ministry is doing, on behalf of the businesses in my riding and 21 others in Toronto, to assist the efforts of Tourism Toronto in helping to maintain and grow the tourism industry of Canada's largest city.

**Hon Cameron Jackson (Minister of Tourism and Recreation):** I want to thank the honourable member for his question. The government of Ontario has been investing substantial dollars into tourism marketing plans, primarily in the United States where we have our rubber tire trade—traffic that can cross the border—which is actually up by 6.5%. The good news is that this is seeing increased numbers in communities like London, Hamilton, parts of Ottawa and eastern Ontario. They have seen increases in tourists, so we are very encouraged by that.

In Toronto alone, we spend between \$6.5 million and \$7 million in direct marketing, and on top of that, additional festival development monies. One of the concerns we have is that the federal government offers this festival money in Quebec to the tune of \$24 million and we in Ontario only get about \$4 million, so they get six times as much money. We'd like the federal government to realize that they have an interest in this special international gateway to Canada: Toronto.

### PETITIONS

#### EDUCATION FUNDING

**Mr David Caplan (Don Valley East):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the Progressive Conservative government promised in 1995 not to cut classroom spending, but has already cut at least \$1 billion from our schools and is now closing many classrooms completely; and

"Whereas international language weekend classes are a needed part of learning for many students in our area; and

"Whereas the Education Act, specifically regulation 285(5), mandates provision of these programs where demand exists; and

"Whereas the Conservative government funding formula is forcing the Toronto District School Board"—they have been taken over by a supervisor—"to cancel these Saturday classes for groups who want this programming;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to instruct the Minister of Education to restore meaningful and flexible funding to the Toronto District School Board, to ensure that they are able to continue to accommodate these Saturday international classes."

I wholeheartedly agree with this petition, I'm going to give it to Edward, and I will sign it.

#### HEALTH CARE

**Mr John O'Toole (Durham):** Mr Speaker, before I start my petition, I'd like to make a little remark that you haven't introduced the pages—maybe we'll do it later in the day—because there's one from my riding of Durham.

I'm pleased to present a petition on behalf of my constituents in Durham.

"To the Legislative Assembly of Ontario:

"Whereas we, the undersigned, wish to express our concern about the current debate on our health care system; and"—they feel they can express that to me—

"Whereas medicare has saved a generation of Canadians from fear of financial ruin due to illness; and

"Whereas this system is now in peril;"—these are my constituents speaking—

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to work co-operatively to uphold the five principles of the Canada Health Act which are in need of reinforcement and new commitment. These principles are: accessibility, universality, availability, publicly administered, portable and comprehensive;

"We further ask that Canadians be provided with a properly funded and sustainable not-for-profit health care system. We ask that Canada take back its role as a leader in national health care, insured by a public health system fully supported by the federal and provincial governments."

I am pleased to sign in support of this petition on behalf of my constituents and present it to one of the new pages; her name is Émilie.

#### LONG-TERM CARE

**Mrs Sandra Pupatello (Windsor West):** I have long-term care petitions on behalf of my community, which is a bunch of petitions of the 25,000 Ontario-wide.

"To the Legislative Assembly of Ontario:



"Whereas the Eves government has increased the fees paid by seniors, the most vulnerable living in long-term care facilities, by 15% over the last three years, \$3.02 per diem in the first year and \$2 in the second year, \$2 in the third year, effective September 1, 2002;

"Whereas this increase will cost seniors and our most vulnerable more than \$200 a month and after three years;

"Whereas this increase is above the rent increase guidelines for tenants in the province of Ontario;

"Whereas, according to the government's own funded study, Ontario will rank last among comparable jurisdictions in the amount of time provided to a resident for nursing and personal care;

"Whereas the long-term care funding partnership has been based on government accepting the responsibility to fund the care and services that residents need;

"Whereas this province has been built by seniors, who should be able to live out their lives with dignity, respect and in the comfort of this province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that Premier Eves reduce the 15% increase over three years in accommodation costs to no more than the cost-of-living increase annually and the provincial government provide adequate funding for nursing and personal care to a level that is at least the average standard for nursing and personal care in those 10 jurisdictions included in the government's own study."

I will be signing this petition.

1500

### RENT REGULATION

**Mr Michael Prue (Beaches-East York):** I have a petition here that has been ably collected on Hamilton Mountain by the NDP riding association at that location, and it reads as follows:

"Support a Rent Freeze Petition to the Ontario Legislature.

"Whereas tenants in Hamilton are paying \$1,248 more for an average two-bedroom apartment per year than they did when the Conservatives' so-called Tenant Protection Act was enacted in the spring of 1998; and

"Whereas tenants in Toronto and Ottawa are paying their landlord on average over \$2,000 more per year; and

"Whereas 22% of Ontario tenants were paying more than 50% of their income in rent even before the new act was brought in, with 43% of tenants paying more than 30% of their income in rent; and

"Whereas the Conservative policy, enshrined in the Tenant Protection Act, of allowing landlords to charge whatever rent they like when a unit becomes vacant has been the main reason for these skyrocketing rents; and

"Whereas the Conservative legislation is also unfair to tenants in the way it allows landlords to treat capital and operating costs; for example by failing to decrease the rent when a landlord's costs decrease while allowing landlords to pass on increases;

"Therefore be it resolved that the government of Ontario be asked to implement an immediate rent freeze; and

"Be it further resolved that the Tenant Protection Act be replaced with a system of real rent control similar to the NDP's Rent Control Act of 1992; which, among other things, regulated rents on vacant apartments and decreased rents when a landlord's costs decreased."

I am in agreement and I will affix my signature thereto.

### VOLUNTEER FIREFIGHTERS

**Mr Ted Arnott (Waterloo-Wellington):** I have a petition, and it's intended to be addressed to the Legislative Assembly of Ontario. It reads as follows:

"The International Association of Fire Fighters is taking action to prevent the full-time firefighters in our rural communities from volunteering as volunteer firefighters on their days off. This move will affect both our volunteer fire services and our communities rural lifestyle.

"We, the taxpayers and voters of the city of Kawartha Lakes, do hereby request the intervention and action of the government of Ontario. We ask the government to take immediate action to clarify legislation to protect firefighters from the effects of union discipline on continued employment.

"Specifically, we ask that the Minister of Labour, the Minister of Municipal Affairs and the Solicitor General work to amend the application section of the Labour Relations Act, 1995, to include application to firefighters those parts of the act pertaining to union discipline and the duty of the union to provide fair representation to its members, namely sections 51 and 74 of the Labour Relations Act, 1995. We, the people of the city of Kawartha Lakes, further ask the government to act immediately, as the effects of the IAFF conduct are now negatively impacting our rural fire protection services."

This is signed by around 4,300 people. It's probably the most substantial petition I've presented in my 12 years in the Legislature.

### LONG-TERM CARE

**Mr John Gerretsen (Kingston and the Islands):** I have a petition which is addressed to the Legislative Assembly of Ontario.

"Whereas the Eves government has increased the fees paid for by seniors and the most vulnerable living in long-term-care facilities by 15% or \$7.02 per diem effective August 1, 2002; and

"Whereas this fee increase will cost seniors and our most vulnerable more than \$200 a month; and

"Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

"Whereas the increase in the government's own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

"Whereas according to the government's own funded study, Ontario ranks last amongst comparable jurisdictions in the amount of time provided to a resident for nursing and personal care; and

"Whereas the long-term-care funding partnership has been based on government accepting the responsibility to fund the care and services that residents need; and

"Whereas government needs to increase long-term-care operating funding by \$750 million over the next three years to raise the level of service for Ontario's long-term-care residents to those in Saskatchewan in 1999; and

"Whereas this province has been built by seniors who should be able to live out their lives with dignity, respect and in comfort in this province;

"We the undersigned petition the Legislative Assembly of Ontario as follows:

"Demand that Premier Eves reduce his 15% fee increase on seniors and the most vulnerable living in long-term-care facilities and increase provincial government support for nursing and personal care to adequate levels."

I agree with this petition and have signed it accordingly.

#### ONTARIO NORTHLAND TRANSPORTATION COMMISSION

**Mr Gilles Bisson (Timmins-James Bay):** Mr Speaker, do you know how long it takes to find one's glasses? My God, it took me a long time. Anyway, I have a petition here in regard to the Ontario Northland Transportation Commission. I want to make sure I read it right. It reads as follows:

"Whereas the government of Ontario established its first crown agency in February 1902, creating the Timiskaming and Northern Ontario Railway, known as the Ontario Northland Transportation Commission; and

"Whereas the purpose of the crown agency was more than simply to build a railway into northern Ontario, the northeastern part of the province, but to fulfill a larger social and economic development role in the northern region of the province; and

"Whereas the council recognizes the enormous contribution the ONTC provides to not only the economic stability of northern Ontario but more importantly in stimulating economic and social development in the north; and

"Whereas the government of Ontario has now stated that it intends to divest most of the Ontario Northland Transportation Commission operation; and

"Whereas the current members of the Ontario Northland Transportation Commission have shown themselves to be indifferent to the fate of this very important agency; and

"Whereas the Ontario Northland Transportation Commission in its entirety is an integral part of social and

economic development in northern Ontario, and the city of North Bay recognizes that any effort to dismantle the ONTC will have serious impact on the viability of numerous communities throughout the north; and

"Whereas this Ontario government in 1995 stated they were well aware of the importance the ONTC plays in northern Ontario; and

"Whereas the privatization of the Ontario Northland Transportation Commission, norOntair, resulted in the reduction of service, and the city of North Bay believes the privatization of ONTC will add greatly to increase the difference between northern and southern Ontario"—

#### *Interjections.*

**Mr Bisson:** It's a great petition. Wait till you see who wrote this. It's wonderful.

"Therefore be it resolved that the council of the city of North Bay does hereby request the government of Ontario replace the members of the Ontario Northland Transportation Commission with individuals who are committed to the agency's purpose and mandate of social and economic development in northern Ontario; and

"Be it further resolved that the government of Ontario direct those new members to ensure that internal improvement be sought, with the result of maximum efficiency of its operation while having due regard to the mandated service, and continue to improve customer services in all divisions; and

"Be it further resolved that the municipality of the city of North Bay respectfully requests the government of Ontario to cease and desist its efforts to privatize the Ontario Northland Transportation Commission."

This is signed by a whole bunch of people of the city of North Bay, including one AL McDonald. I want to thank you, Mr McDonald, for having signed and authored that petition and for helping northerners save the Ontario Northland Transportation Commission.

#### HEALTH CARE

**Mr John O'Toole (Durham):** I'm very pleased that the member from Nipissing is getting a lot of support in the House here today. I know how hard working he is. I'm pleased to present a petition on behalf of my riding of Durham, with your indulgence.

"To the Legislative Assembly of Ontario:

"Whereas we, the undersigned, wish to express our concern about the current debate on our health care system; and"—I agree with that—

"Whereas medicare has saved generations of Canadians from fear of financial" pain "due to illness; and

"Whereas this system is now in peril"—according to what they're saying—

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to work co-operatively to uphold the five principles of the Canada Health Act which are in need of reinforcement and new commitment. These principles are: accessibility, universally



available, publicly administered, portable and comprehensive;

"We further ask that Canadians be provided with a properly funded and sustainable not-for-profit health system. We ask that Canada take back its role as a national health care leader, insured by a public health system fully supported by the federal"—and I stress that—"and provincial governments."

I'm pleased to submit this on behalf of Donna Donaldson and Katie O'Quinn, both of whom are my constituents. I support this and put my signature to it. I've used most of the time.

### LONG-TERM CARE

**Mr Michael Gravelle (Thunder Bay-Superior North):** The sneak attack by the government on long-term-care residents of a 15% increase has generated a storm of protest, and I have a petition signed by hundreds of people that I wish to read.

"Whereas the Eves government has increased the fees paid for by seniors and the most vulnerable living in long-term-care facilities by 15% or \$7.02 per diem effective August 1, 2002; and

"Whereas this fee increase will cost seniors and our most vulnerable more than \$200 a month; and

"Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

"Whereas this increase in the government's own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

"Whereas according to the government's own funded study, Ontario ranks last amongst comparable jurisdictions in the amount of time provided to a resident for nursing and personal care; and

"Whereas the long-term-care funding partnership has been based on government accepting the responsibility to fund the care and services that residents need; and

"Whereas government needs to increase long-term-care operating funding by \$750 million over the next three years to raise the level of service for Ontario's long-term-care residents to those in Saskatchewan in 1999; and

"Whereas this province has been built by seniors who should be able to live out their lives with dignity, respect and in comfort in this province;

"We, the undersigned, petition the Legislative Assembly as follows:

"Demand that Premier Eves reduce his 15% fee increase on seniors and the most vulnerable living in long-term-care facilities and increase provincial government support for nursing and personal care to adequate levels."

I want to thank Sheila Santa, who went through rain and storm and a variety of challenges to get all these signatures. They are tremendous, and we want to pass them on, certainly, to Jonna here, who is going to pass

them on to the Clerk's office. I'll be glad to sign it, of course.

1510

### ROYAL ASSENT

#### SANCTION ROYALE

**The Deputy Speaker (Mr David Christopherson):** I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Lieutenant Governor has been pleased to assent to a certain bill in his office.

**Clerk at the Table (Mr Todd Decker):** The following is the title of the bill to which His Honour did assent:

Bill 174, An Act to resolve City of Toronto labour disputes / Projet de loi 174, Loi visant à régler les conflits de travail à la cité de Toronto.

### ORDERS OF THE DAY

#### INTERJURISDICTIONAL SUPPORT ORDERS ACT, 2002

#### LOI DE 2002 SUR LES ORDONNANCES ALIMENTAIRES D'EXÉCUTION RÉCIPROQUE

Mr Young moved second reading of the following bill:

Bill 131, An Act to facilitate the making, recognition and variation of interjurisdictional support orders / Projet de loi 131, Loi visant à faciliter le prononcé, la reconnaissance et la modification des ordonnances alimentaires d'exécution réciproque.

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** On a point of order, Mr Speaker: I'm seeking unanimous consent for the business of the House this afternoon.

**The Deputy Speaker (Mr David Christopherson):** Do you want to state what that is?

**Hon Mr Stockwell:** I thought I'd ask first. Is that OK?

**The Deputy Speaker:** I want to know what the unanimous consent request is.

**Hon Mr Stockwell:** OK, I'll read it all then. I'm seeking unanimous consent to have this afternoon's debate on Bill 131 proceed as follows:

The government will speak for 10 minutes, followed by each opposition party for 15 minutes. There will be no questions and comments. The leadoff speech from the New Democratic Party will be deferred as well as the leadoff speech from the Liberal Party and, for the purpose of standing order 46, today's debate will be considered to be one full sessional day.

**The Deputy Speaker:** Do I hear unanimous consent? Agreed. So ordered.

**Hon David Young (Attorney General, minister responsible for native affairs):** Today we proceed with second reading of the Interjurisdictional Support Orders Act, 2002.

If I may, in the time allocated to me I would like to start by talking about why we need this legislation.

I believe all members of this Legislative Assembly accept that Ontario children deserve to have the best possible future. They deserve to be protected from harm and they deserve to have access to all available support.

The Ernie Eves government is committed to ensuring the safety and well-being of all children. We recognize that children are our future and indeed they need to be protected and cared for. That is why we have introduced the Interjurisdictional Support Orders Act and why we are so pleased that we are proceeding forward with this debate today.

This legislation, if passed, would simplify and streamline existing processes, making it easier and less costly for Ontario families and children to obtain support from people who live outside of this great province. These changes will also affect spousal support.

It is our belief that no child should ever go without simply because a parent moves to another province. Our proposed bill would affect thousands of families and indeed it would affect thousands of children in a very positive way. At any given time, there are over 7,000 Ontario support orders being enforced in other jurisdictions. In addition, Ontario enforces over 5,000 support orders from other jurisdictions. Obviously, this is a very important matter involving a great many people, some of whom are the most vulnerable in our society.

It is clear from these numbers that we live in a world that is increasingly mobile. Our laws must adapt to reflect that very fact and that reality.

If passed, this bill would recognize the challenges of a mobile population by allowing for greater coordination among provinces, among territories and indeed among countries. With this proposed legislation, we would modernize the family law to keep up with the increasing global mobility.

As I stated earlier, the proposed legislation would make it easier and indeed it would make it less costly for families to register, for families to establish and for families to vary support orders where one of the parties lives outside of the province of Ontario.

This bill, if passed, would streamline and update existing processes by replacing the Reciprocal Enforcement of Support Orders Act, which is currently in place as the law in Ontario respecting this matter.

If I may offer an example, under the new legislation, the current complex two-stage procedure would be replaced by a single-hearing process. The single-hearing process would allow for an individual to establish a support order, and that could be done in a relatively timely fashion. It would then be sent to the receiving jurisdiction for a support determination. This means that a hearing would only be held in the receiving jurisdiction, thus avoiding two hearings in many instances. It

would no longer be necessary for the court in the originating jurisdiction to hold a provisional hearing, which is currently the way the system works.

It is our belief that streamlining this process in the way I have just described makes sense for families and, to be as specific as possible, it makes sense for children. Reducing the amount of time and costs associated with obtaining a support order will be a welcome relief for all those involved. It's one less thing for families to worry about.

The proposed legislation would also help the courts determine which jurisdiction's laws should apply. It would provide guidance to Ontario courts in determining whether the law of Ontario or the law of another jurisdiction should apply in any particular case. This bill, if passed, would ensure a child-focused test in determining which jurisdiction's law is to apply to the issue of support for a child.

Another important element of this proposed legislation is that it would give automatic recognition to orders from other Canadian provinces and territories when the payer is in Ontario. An order from another Canadian province or territory would be registered in Ontario and would be automatically enforced in most circumstances. Parties would no longer have the right, as they do now, to apply to set aside registration of an order from another Canadian province or territory in this country. Anyone objecting would be required to address their concerns in the province where the order was originally made.

As I mentioned earlier, this proposed legislation would support the Reciprocal Enforcement of Support Orders Act, which is currently the law in Ontario. Under the current legislation, Ontario has arrangements with all of the other Canadian provinces, and indeed with many other countries, to register and establish and, in some instances, to vary support orders when the parties are living in different jurisdictions.

Earlier this year, our government—the Ernie Eves government—and the United States federal government established an arrangement that allows Ontario and the United States to enforce family support orders for each other's residents. That came as a result of negotiations with Attorney General Ashcroft. We are now in a situation where an individual, a payer, who resides in any one of the 50 states would be in a position to respond to a court order with a relatively simple application. I should note as well that this new arrangement also allows for the capture of US protectorates: the District of Columbia, American Samoa, Guam, Puerto Rico and the US Virgin Islands.

This arrangement also makes it easier to improve enforcement co-operation with the United States because Ontario can deal with one federal agency instead of dealing with 50 separate state agencies. Just for the record, in the past we did have separate agreements with 40 different states across the union. We now have an agreement that will override those. We now have an agreement that will allow us to deal with one central federal agency. I'd like to stress that all existing recipro-



city arrangements will continue, where necessary, under the proposed legislation, and that's the bill that we are here to talk about today.

The proposed bill is further proof that we are committed to ensuring that children and families who rely on support payments receive every cent of the amount they are entitled to. Failure to pay child support and spousal support is a social problem; there should be no doubt about that. It is a problem that should and does concern us all. Thousands of families rely on support payments to buy food and other basic necessities, including rent. Without those payments, some families may be forced to live in poverty. They may be forced to turn to food banks and, in some cases, social assistance. This simply shouldn't be happening. It is simply unacceptable. When children and families do not receive money, or do not receive money in a timely fashion, we all suffer.

**1520**

Improving the justice system is a priority for this government. It has been since 1995, and it continues to be. We have made it clear that we are committed to a modern and accessible justice system, a justice system that is effective.

As an example, I would point to a number of locations where we have Unified Family Courts. Indeed, we have more than tripled the number that exist since 1995—again, courts that put the interests of children first, courts that help in a very meaningful way to resolve family disputes that often target children. Our government has expanded the Unified Family Courts to better serve the needs of families in Ontario and, again, to put the interests of children first.

Further family court expansion is a matter that is bilateral in nature. It is a matter that requires co-operation between the federal government and the provincial government, and there has been a considerable amount to date. However, if we are going to increase the number of Unified Family Courts, we will require further co-operation from our federal colleagues. Indeed, we have informed the federal government of our desire to proceed with this expansion, which we believe is vital and essential in order to protect the interests of families and, in particular, those of children.

More than any other government, this government has proceeded to construct and renovate court facilities across the province to ensure that there are physical structures available to allow judges and lawyers and parties to have their day in court. Indeed, we have invested in crown attorneys who are working in our criminal courts across the province, and we are funding the justice system in a manner far in excess of any prior government.

With that, I say to you that this is one of those bills that I suspect all members of this Legislative Assembly welcome. I'm hopeful that the debate we have on this will be a constructive debate and, quite frankly, a timely debate, because there is no reason to delay this matter. We should get on and pass this important bill.

**The Deputy Speaker:** Further debate?

**Mr Ernie Parsons (Prince Edward-Hastings):** I will be sharing my time with the member for St Catharines.

As the minister has said, this is a good bill, and he's right. This is a good bill. I've now been in the Legislature for three and a half years, and I knew that some day a good bill would go through. I'm not sure what they modelled this on, but they obviously chose a good bill to copy for this. Congratulations to them.

In some ways, though, this bill could be described as icing on a cake. It certainly improves the entire situation. It improves the appearance and improves the taste of the bill, so to speak. But the problem is that it's icing. Like a wedding cake, it's hollow, cardboard underneath.

The interchange between various jurisdictions is a problem, but the biggest problem is the Family Responsibility Office. The Family Responsibility Office was massively downsized under this government very early in 1995. When they massively downsized, to no one's surprise, the service provided to the people of Ontario, and now to other jurisdictions, was substantially reduced. This isn't me saying that; this is the auditor saying that.

The auditor indicated that the Family Responsibility Office handles about 170,000 open cases, but 128,000 of them are in arrears. So isn't it great that they'll be able to get an interjurisdictional court order that will allow them to have the money, but very, very clearly the money isn't being flowed to the people who need it.

When we talk about 128,000 cases in arrears, the majority of people who are not having access to the money are children. For a government that says they're going to put children first—

**Interjection:** Two hundred thousand.

**Mr Parsons:** Two hundred thousand children are not getting the funding. So they're being forced to do other things because of delays. They're being forced to go on to welfare. Speaker, if you've ever had anything to do with children in schools, as I know you have, children who are poor or appear to be poor are immediately labelled, and that should not happen. Whether they are on welfare—the welfare amount itself is a disgrace in this province. But if we extend it further, these children are entitled to have their money collected, and yet this government removed the ability to do that—massive downsizing of the staff, centralizing in one location.

I think I can make the statement fairly that every member in this House, no matter on what side of the aisle, has staff that spend a great many hours each and every day dealing with the Family Responsibility Office to try to straighten out cases for their constituents and my constituents.

Are the staff at the Family Responsibility Office not doing their job? Absolutely not. The problem is there's nowhere near enough of them. There's been no increase in staffing since 1995, and yet the number of cases they handle has increased. They have been given a computer system to use that is an absolute disgrace. I will note that

in 2001, when the auditor did a follow-up on the 1997 study, he said, "Efforts to improve computer system performance have met with limited success." We're hearing of cases, when a court order is actually filed with the Family Responsibility Office, of it taking 18 months before it's put into the system. Once it's in the system and there's a recognition of someone in arrears, obviously a primary role of the Family Responsibility Office must be to go after the individual who is in arrears and collect the money.

Let's read what the auditor has to say about the Family Responsibility Office on that. The auditor also noted that when the account goes into arrears, "More aggressive enforcement measures such as driver's licence or passport suspension, bank account garnishment or a default hearing were seldom pursued." These are single parents and children who need the money to meet basic living costs, the money they're entitled to, money this government's committed to collect and provide, and they're not doing it. But if you drive the 407 and you don't pay the dues, this government brings every bit of energy they have to it, and they will collect the money or they will not renew your driver's licence until the 407 corporation has their money. But when it comes to children and predominantly women—women and children—the government does not have the time or the energy or the willpower to collect the money owed to these families. That's a shame. Granted, they may have that piece of paper, but the reality is, in 75% of the cases they will not have the money they're entitled to. For those families, for those children, that lack of resources that they need to have will follow them for the rest of their lives. It is altering their very fabric.

Saturday morning I was at a breakfast group called Food for Learning. In my community there are 3,500 school children every day who get their breakfast at school—3,500. As an engineer, I like statistics. How many were there in 1994 who were eating breakfast at schools in my community? There were none. There was no need for breakfast clubs, and there were no breakfast clubs. I would suggest to you strongly that some of these children who are showing up at school hungry are children who have money owed to them by individuals whom this government's not interested in pursuing. What an insult to the children of our province. Every child should be able to attend school prepared to learn. Hungry children don't. Children who are cold don't.

I'm getting significant numbers of phone calls in the last three or four days because people have now received their electricity bills, the wonderful deregulated bills that will solve the problems. We've got families that are being painted into a corner financially to meet their electricity bills, and in order to pay electricity, food is going to suffer, clothing is going to suffer and the quality of shelter will suffer.

Instead of the icing, this government—and I applaud them for Bill 131—needs to do something substantive, which is not just get the paper but actually collect the

money for the people. But we're seeing that even in legal aid it is more and more difficult. What this government is paying legal aid lawyers has resulted in there being an acute shortage of lawyers able to take that on. So when we have a family that is needing legal recourse to access the money, legal aid is not available for them.

1530

I guess I'm always amazed that when the newspapers decide to do a story on, as they call it, a deadbeat dad, their reporter is able to go out and in a day or two find that individual, sometimes thousands of miles away in the US. It's always intrigued me that the Toronto Star can find a deadbeat dad and do an interview with him, but this government can't find them. This government can't locate 75% of them.

**Mr Dave Levac (Brant):** Dirty tricks, don't forget.

**Mr Parsons:** Yes, that's right. Some of them are doing dirty tricks. If the minister is looking for the next bill to pursue, let's look at—for lack of a better word—dirty tricks being used by some of the people who owe the debt, who are changing the name of the company or putting their assets in someone else's name. I cannot understand someone who would use a technique that would deny their very children food, clothing and shelter. But there are loopholes that make that possible in current legislation.

So if you want a challenge, take that challenge on. Stand up and fight for the children. Stand up and fight for the single parents in this province, full citizens who need better service.

Maybe even, instead of doing a \$2-billion corporate tax cut to reward friends and supporters, we could look at taking that cut and using some of the money to properly staff the Family Responsibility Office. I have great admiration for the people who work in that office. The pressures are fierce with the number of calls that come in to them. Even the MPP line that our staff have access to often requires long waits to access because they're absolutely inundated with cases.

We could take the pressure off them. We could take the pressure off the number of cases they have to deal with. We could take the pressure off them by giving them a computer system that works. If a pizza firm can have a computer system that, when someone calls, can tell them exactly where you live, exactly what you like on each pizza, what time you like it delivered and the best route to you, surely the government of Ontario can monitor the people who pay taxes to them—haven't met the responsibilities but pay taxes to them.

Maybe you could get some of your friends at the 407 corporation to help you track down some of these deadbeats. The 407 is so efficient. Not only do they photograph the licence plate of each vehicle; I have too many constituents come to me and tell me that they photograph licence plates that aren't there. They're sending bills to constituents in my riding who have never been to the Toronto area, and they still get a bill and,



without any question whatsoever, this government collects the money for your friends.

Start collecting the money for the children of this Ontario, and allow them to live in the dignity that they're entitled to.

**Mr James J. Bradley (St Catharines):** I think there's a consensus in this House that the bill is a logical extension of what exists now and a substitution for what exists now, but there are many problems with the Family Responsibility Office that we who have constituency office staff are only too familiar with. At one time Workers' Compensation Board issues were probably the dominant factor one had to deal with within a constituency office, along with social assistance payments and social assistance problems. Today, I think a plurality, if not a majority, of the calls that come into the constituency office and the time spent by staff at the constituency office are on Family Responsibility Office matters. It's clear that there's simply insufficient staff. This government made some cuts in 1997 in the staff dealing with matters related to the Family Responsibility Office. They cut back to a 1994 level of staffing and yet we've had, I think, a 35% increase in the caseload and no increase in that staff level of 1994 that the Conservative government reverted back to.

What does that mean? It means that people have to wait longer and longer to deal with problems associated with the Family Responsibility Office and the payment for children who are in a family where there's been a breakup.

What is interesting, I have found, is a number of occasions where both sides—where the payer and the recipient of the payment to go to looking after the children—are on the same side, when both are fighting with the Family Responsibility Office, both trying to resolve a problem.

As my colleague Mr Parsons has said, it is not because of a lack of determination on the part of the staff of the ministry and the part of the staff of the Family Responsibility Office; it's that they don't have the best equipment to deal with these matters, and second, that they simply don't have the staff. The workload is huge. As a result, constituency offices have become much more active in this regard.

I think there was a time when constituency offices were not at all involved in what are very dicey issues: often ex-spouses who are certainly not on the best of terms quarrelling over how much money shall go for the children. That's something that, it seems to me, should be handled as efficiently as possible and as transparently as possible.

At one time we had a regional office in your city of Hamilton where people could go, even from the Niagara Peninsula. They could at least take the bus there, the train there, drive there or get someone to drive them to the office. They could sit down and talk to somebody about the problem. But in an effort to provide money for tax cuts for the wealthiest people in this province, there were cuts made to that particular office, the Family Re-

sponsibility Office, and as a result they were closed. It was centralized, and it was a chaotic movement from the regional offices to the central office in Metropolitan Toronto.

So while we can support this piece of legislation, much has to be done to improve the entire system so that there aren't 128,000 children in this province who are not receiving the funding they should receive for the purposes of looking after their needs, and so that both the payer and the recipient have something that's transparent, that moves quickly and that adapts to different circumstances.

My colleague Mr Parsons has mentioned Highway 407. We all get calls from constituents. I'll tell you, if you don't have your money in right away to Highway 407, the private sector firm, which is very supportive of this government—they paid the government \$3 billion; it was worth \$10 billion, but they paid the government \$3 billion for Highway 407—when they want to get the money, the Ontario government is there with the sledgehammer waiting to hit the person who doesn't pay.

In this case, it's much more difficult for the government to try and get an efficient system to ensure that the payments are going directly from the person who is obligated to pay to the benefit of those children who are to receive them. Oftentimes—not always by any means but oftentimes—the payer wants to see that situation, the recipient wants to see the situation, and the chaos which exists because of underfunding, understaffing and improper equipment at the Family Responsibility Office means that doesn't happen. This bill may solve one problem; it certainly doesn't solve the problem I have described.

**Mr Gilles Bisson (Timmins-James Bay):** For the record, I know that our House leader, Mr Kormos, looks forward to his one-hour lead; I imagine it's going to happen tomorrow. Other members of our caucus do want to speak on this bill—namely, Mr Prue, Ms Martel and others—because this is an issue that all of us have to deal with as members of provincial Parliament. It's quite a serious issue. I want to take the opportunity this afternoon to speak about just a couple of cases of what has happened to constituents in my riding. It's probably not dissimilar from your riding or anybody else's riding across the province. It's why we need such legislation.

Now, I want to say up front that I support the intent of the bill, I more than likely will be voting for the bill, but I really want to look at some of the detail and I want our research staff to do a bit of a better job on a couple of issues, just to make sure that it does what I think it does. If it does, at the end of the day I'll support the bill.

I just want to, for the record, give you a couple of examples. I have a number of cases here. This is just what we've dealt with. I said to my staff, "Go back 30 days and come back with a number of cases that we've had to deal with where people who were in a position where they should have been receiving spousal support from their former spouses for the children—how many in the last 30 days have we had to deal with where we have

not been able to get the enforcement order enforced outside the province of Ontario?" I've got six in the last 30 days. You know as well as I do it's indicative of a problem, when you get something like this that basically just from one of my constituency offices I have six in the last 30 days. It tells me I have a problem. Let me just start in no particular order.

Premièrement—on va commencer avec le premier nom. Je ne veux pas donner le dernier nom parce que je n'ai pas eu une chance de parler à la madame.

Claire est la mère de deux enfants. Elle vient à notre bureau dire que son mari a été donné un ordre de payer le support pour ses enfants, pour s'assurer qu'il prenne ses responsabilités comme père. Il s'en va travailler. Il laisse sa femme pour retourner au Québec travailler à la ville de Québec. On sait où il est. On sait où il travaille. On sait où il demeure. Mais à la fin de la journée, on se trouve dans une situation où il est capable d'évader ses responsabilités de payer le support à ses enfants parce que le processus qu'on a présentement est pas mal compliqué pour être capable d'aller rechercher l'argent qu'il doit à ses enfants. On ne parle pas de support pour sa femme. C'est toute une autre question, puis j'imagine qu'il doit payer ça aussi. Mais je parle pour les enfants, les deux petits garçons dans cette famille. Pour une période de deux ans il n'a rien payé, absolument rien, quand ça vient à ses responsabilités pour ces deux jeunes-là.

Là, quand Claire nous a approchés, elle a dit, « Je viens ici parce que quelqu'un m'a dit que si je venais au bureau du député, je pourrais possiblement arranger le problème. Ça fait deux ans que j'étais avec l'avocat du "legal aid" pour essayer de trouver une solution, et aucune solution peut être vue. » Ça nous a pris environ trois ou quatre mois, aller à travers le processus, et juste dernièrement, le mois passé, elle a eu son premier chèque faisant affaire avec le support pour ses enfants. Cette pauvre madame-là et ses enfants se sont trouvés dans une situation où ils n'ont rien reçu du père pour une période de deux ans et demi. La madame travaille. C'est une femme qui travaille à des salaires très bas, pas à des salaires élevés, et elle est dans une situation où on a dit qu'elle n'était pas capable de vendre la maison qu'elle avait avec son mari. Le juge dit qu'elle doit rester dans cette maison-là parce que lui, son nom est sur le « mortgage. » Elle se trouve prisonnière dans sa maison avec ses enfants, et selon l'ordre du juge, elle n'a pas le droit de vendre la maison ou partir de la communauté à cause des conditions que son mari a mises.

Là, on se trouve dans une situation finalement, après avoir fait beaucoup d'ouvrage de notre bord, qu'elle a reçu son premier chèque. Si cette législation avait était mise en place, je m'en douterais bien qu'elle aurait attendu les deux ans et demi qu'elle a attendus pour avoir l'argent que son mari doit à ses enfants. Quant aux enfants de Claire, et Claire elle-même, je pense que cette législation va assister la situation de Claire. Si ça serait arrivé sous cette législation deux ans et demi passés.

1540

I have another case here, and this is Cynthia. Oh, yes, I remember this one. This is a doozy. This one is really over the top. The guy has an enforcement order to only pay support for his children. There is no support for the wife. The order is quite low. Believe it or not, it's \$100 per child. Can you believe this? The guy is making upwards of about \$85,000 a year in Halifax. He goes to Halifax, in the province of Nova Scotia, basically refuses to pay the \$100 a month for each of his children and then has the gall to go to the Nova Scotia government and apply that—finally we caught up with him through the mechanism of being able to deduct money from any money that he's owed by the federal government, ie, income tax returns, GST cheques, all of that stuff.

We had a federal enforcement order put on this gentleman so that he could at least pay some of the money toward his children. We put the paperwork in, we got notification that in fact that's going to happen, but he went to the Nova Scotia court and had the order reversed because they have a mechanism in Nova Scotia that if you appeal the decision of how much you have to pay, they will just freeze the order of the jurisdiction from which it came.

Can you imagine a hundred bucks a month? This guy makes 85,000 bucks a year and he can't pay 100 bucks a month for his two kids? The woman says, "It's not the 100 bucks—I'm going to get by—but he's the father of these children. He doesn't send Christmas cards; he doesn't send birthday cards." He takes off out of the province and now he's raising another family and he's not prepared to pay the 100 bucks per child that these children are entitled to. She says, "I would just take the money and put it into one of those educational savings plans so that at least when the kids go off to college or university they would have something to show for their father being absent all these years."

In the case of this legislation, if I understand it correctly—because I spoke to the minister about this particular one—in this particular case what would happen is, if the enforcement order from Ontario says this guy has got to pay the 100 bucks per child, there would be a mechanism to force this deadbeat dad to pay his money.

I, as a father, and I think anybody else who is responsible, would accept that you have a responsibility toward your children. Being able to escape the jurisdiction of the province of Ontario as a means to escape your responsibility to pay, to me is just beyond the pale. So I say to the father of these children, shame on you, and I say to—I don't want to use the woman's name because I don't have her complete permission, but I believe it was Sandra. Yes, right, it's Sandra. I just say to Sandra, through this debate, if this legislation passes—and hopefully it will—we'll be in a position to facilitate the enforcement of that order.

On that basis, I think the legislation is not a bad one. This is one of those few times in the Legislature when we



could actually work on something together to respond to a real problem.

I have another one here, and that is Diane. Her ex is in Manitoba, as I read this. Oh yes, I remember this one too; it's the same type of story. There are a few things. The guy left about three or four years ago. He worked for the railway and ended up getting a transfer to Manitoba as a way of being able to escape from having to pay his alimony payments, support for his wife and also the children. So this guy has now taken off and has gone to Manitoba to work for the railway. What's happened is that this particular one has been dragging around. According to the note I've got, she says that we first got the case some time last June, it looks like, when the woman came into our office. The story there is—wow, I don't believe this one: 8,500 bucks. She's paid 8,500 bucks to a lawyer to try to get the enforcement order paid for her support and the support he owes the children. Obviously, this woman is working. What's happened is that 8,500 bucks later, she is no further in having the enforcement order enforced.

Now she is in the position where they're trying to get the order enforced. The guy is refusing to co-operate with the enforcement order that originally came from the province of Ontario. They've had the hearing in Ontario this summer and they're about to have the other hearing in Manitoba shortly. But the feeling I'm getting from the staff here as they went through it is that it looks like things are not going the way they want with respect to being able to effect the decision they want.

One of the questions I have through this debate to the minister is, are we leaving the interpretation of the order up to the other jurisdiction? For us in Ontario that's important, because we tend to have better laws when it comes to separation and support than other provinces have. So if an order is given in the province of Ontario, and if the standards in the other province to which the person has escaped are lower, would, for whatever reason, the decision about enforcing the order be based on the other jurisdiction's rules?

One of the questions I'm asking the minister through this debate for this particular woman, Diane, is, what would happen in that case? Would the original order from Ontario actually be the order that's enforced? This guy has gone back to court in Manitoba and has asked to have the order changed and lessened, and apparently, from what they say here, he's got it. My question is, which order would stand?

He hasn't even paid the order which he had reduced. This is an interesting one. He has gone to the court in Manitoba, had the order reduced, as far as how much he pays, and he hasn't paid that. So there are two issues here. We're not even able to enforce Manitoba's order, and the second issue is, which order would stand? Would it be the order of the province of Ontario or would it be the amended order of the province of Manitoba? That's one of the things I ask, that particular question, on behalf of a constituent, Diane.

I have another one here that I want to touch on in the four minutes that I have left, because it's something we're dealing with and it's quite public within the community of Kapuskasing, and that is a Mr Lewasseur. Mr Lewasseur and his ex-wife have a little girl. The mother has moved to Australia. As the father, Mr Lewasseur in Kapuskasing has custody of the child, legal custody given by the court. Every summer the mother has the child come and visit her, which is normal—the child has got to go visit her mother. It has always been the arrangement that the child goes off to Australia, visits the mother and comes back to Canada. This time, the mother has refused to release the child. So what we have now is an order of the court in the province of Ontario that says Mr Lewasseur has legal custody of the child, but the child is now, I guess, kidnapped by the mother, who lives in Australia.

I'm wondering if we're able to do something in this legislation to give the minister some power to assist in situations like this, to regain children who have been taken out of our jurisdiction, outside of Ontario to other provinces or territories, or if there is some mechanism to give the Attorney General the ability to order some mechanism to get the children back once they've been taken away. I've talked to Mr Lewasseur and I've talked to a number of others about this at great length, and my staff have been doing quite a bit of work with the federal government and others to try to deal with this. But the problem, as I understand it, is that we have no mechanism to get that child back from Australia because there are no reciprocal provisions to enforce each other's orders.

I ask again through this debate to the minister responsible here, the Attorney General, would you be prepared to accept some sort of amendment that would allow, if an order of support and an order of custody is issued in Ontario and a person flees, in this case, to Australia, an area that doesn't have reciprocal agreements—(a) is there a mechanism to do that and (b) is there a mechanism you would be able to create in the legislation that would give the Attorney General some sort of ability to do something legally to get that child back into Canada? I imagine that would have to be done by way of our federal government because part of that is the Criminal Code. I understand that, kidnapping being a federal responsibility, the feds would have to do some sort of an amendment.

I'm asking the Attorney General if he's prepared on behalf of Monsieur Lewasseur and his daughter to work with me and work with the community to lobby the federal government to make the necessary changes needed federally so that we can do that when children are taken away from their homes and brought outside to other countries, and if there are support payments that are owed, that we do what we're doing here in Canada and have done with the United States with the agreement to have reciprocal agreements with the states, as the minister pointed out earlier with other countries, such as Australia.

This is the second case like this I've had to deal with where a child has been taken out of the country and you're trying to get the child back. It is a lot of trouble. I had another one about two years ago where the child was taken back, I think, to the former Czechoslovakia. The only reason we got the child back was the parent happened to come back to Ontario and the Attorney General was able to put an order out to arrest that person once the person came back to Ontario and had legal authority to do that in the province, but couldn't arrest them back in Czechoslovakia. When the father came back to Ontario to deal with some business items that he had, the father was arrested and held in custody. At the end of the day that was sufficient to get the child extradited back to Canada.

I understand the Attorney General has the authority, should the mother come back to Ontario, to put out a warrant for her arrest so that if she were to come back into our jurisdiction, she'd be arrested and made to answer for her actions in taking that child illegally out of Ontario.

Comme je l'ai dit, il y a beaucoup dans cette législation-là que l'on peut supporter. Comme on le sait, on a beaucoup de cas comme ça à travers tous nos comtés faisant affaire avec le monde qui s'évade pour

échapper à leur responsabilité de payer le support à leurs enfants ou à leur femme. Je regarde avec intérêt le débat qui va arriver dans les deux prochains jours, parce qu'on est seulement à la fin de la première journée des débats. Il y a encore au moins deux jours de débats en deuxième lecture. Comme je l'ai dit, il va y avoir M. Kormos, M. Prue, M<sup>me</sup> Martel et d'autres qui veulent parler de ce projet de loi, parce que je sais qu'ils ont les mêmes problèmes que j'ai vus dans mon comté.

**The Deputy Speaker:** By prior agreement of the House, this debate now stands adjourned.

Chief government whip, may I just take a moment to congratulate you on your ascension to cabinet.

**Mr Doug Galt (Minister without Portfolio):** Thanks very much, Mr Speaker. My maiden speech in this period would be to adjourn the House.

**The Deputy Speaker:** That's probably the best speech you're ever going to give.

Is it the pleasure of the House that the motion carry?

All those in favour, please indicate.

All those opposed, please indicate.

The motion is carried.

This House now stands adjourned until 1:30 of the clock tomorrow afternoon.

*The House adjourned at 1553.*



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<b>Elliott, Hon / L'hon Brenda (PC)</b>	Guelph-Wellington	Minister of Community, Family and Children's Services / ministre des Services à la collectivité, à la famille et à l'enfance
<b>Eves, Hon / L'hon Ernie (PC)</b>	Dufferin-Peel-Wellington-Grey	Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales
<b>Flaherty, Hon / L'hon Jim (PC)</b>	Whitby-Ajax	Minister of Enterprise, Opportunity and Innovation / ministre de l'Entreprise, des Débouchés et de l'Innovation
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Gill, Raminder (PC)	Bramalea-Gore- Malton-Springdale	Parliamentary assistant to the Premier and Minister of Intergovernmental Affairs / adjoint parlementaire au premier ministre et ministre des Affaires intergouvernementales
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Hampton, Howard (ND)	Kenora-Rainy River	Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Hardeman, Ernie (PC)	Oxford	Parliamentary assistant to the Minister of Community, Family and Children's Services / adjoint parlementaire à la ministre des Services à la collectivité, à la famille et à l'enfance
Hastings, John (PC)	Etobicoke North / -Nord	Parliamentary assistant to the Minister of Citizenship / adjoint parlementaire au ministre des Affaires civiques
<b>Hodgson, Hon / L'hon Chris (PC)</b>	Haliburton-Victoria-Brock	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Hoy, Pat (L)	Chatham-Kent Essex	
<b>Hudak, Hon / L'hon Tim (PC)</b>	Erie-Lincoln	Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises
<b>Jackson, Hon / L'hon Cameron (PC)</b>	Burlington	Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs
<b>Johns, Hon / L'hon Helen (PC)</b>	Huron-Bruce	Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
<b>Johnson, Bert (PC)</b>	Perth-Middlesex	First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Kells, Morley (PC)	Etobicoke-Lakeshore	Parliamentary assistant to the Minister of Municipal Affairs and Housing / adjoint parlementaire au ministre des Affaires municipales et du Logement
Kennedy, Gerard (L)	Parkdale-High Park	
Klees, Frank (PC)	Oak Ridges	
Kormos, Peter (ND)	Niagara Centre / -Centre	New Democratic Party House leader / chef parlementaire du Nouveau Parti démocratique
Kwinter, Monte (L)	York Centre / -Centre	
Lalonde, Jean-Marc (L)	Glengarry-Prescott-Russell	



Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Levac, Dave (L)	Brant	
Marchese, Rosario (ND)	Trinity-Spadina	
Marland, Margaret (PC)	Mississauga South / -Sud	
Martel, Shelley (ND)	Nickel Belt	
Martin, Tony (ND)	Sault Ste Marie	
Martiniuk, Gerry (PC)	Cambridge	
Maves, Bart (PC)	Niagara Falls	Parliamentary assistant to the Minister of Transportation / adjoint parlementaire au ministre des Transports
Mazzilli, Frank (PC)	London-Fanshawe	Parliamentary assistant to the Attorney General and Minister responsible for Native Affairs / adjoint parlementaire au procureur général et ministre délégué aux Affaires autochtones
McDonald, AL (PC)	Nipissing	
McGuinty, Dalton (L)	Ottawa South / -Sud	Leader of the Opposition / chef de l'opposition
McLeod, Lyn (L)	Thunder Bay-Atikokan	
McMeekin, Ted (L)	Ancaster-Dundas-Flamborough- Aldershot	
Miller, Norm (PC)	Parry Sound-Muskoka	Parliamentary assistant to the Minister of Northern Development and Mines / adjoint parlementaire au ministre du Développement du Nord et des Mines
<b>Molinari, Hon / L'hon Tina R.</b> (PC)	Thornhill	Associate Minister of Municipal Affairs and Housing / ministre associée des Affaires municipales et du Logement
Munro, Julia (PC)	York North / -Nord	Parliamentary assistant to the Chair of the Management Board of Cabinet and Minister of Culture / adjointe parlementaire au président du Conseil de gestion du gouvernement et ministre de la Culture
Murdoch, Bill (PC)	Bruce-Grey-Owen Sound	Parliamentary assistant to the Minister of the Environment and Energy and government House leader / adjoint parlementaire au ministre de l'Environnement et de l'Énergie et leader parlementaire du gouvernement
Mushinski, Marilyn (PC)	Scarborough Centre / -Centre	Parliamentary assistant to the Minister of Training, Colleges and Universities and Minister responsible for Women's Issues / adjointe parlementaire à la ministre de la Formation et des Collèges et Universités et ministre déléguée à la Condition féminine
<b>Newman, Hon / L'hon Dan</b> (PC)	Scarborough Southwest / -Sud-Ouest	Associate Minister of Health and Long-Term Care / ministre associé de la Santé et des Soins de longue durée
O'Toole, John R. (PC)	Durham	Parliamentary assistant to the Minister of Health and Long-Term Care / adjoint parlementaire au ministre de la Santé et des Soins de longue durée
<b>Ouellette, Hon / L'hon Jerry J.</b> (PC)	Oshawa	Minister of Natural Resources / ministre des Richesses naturelles
Parsons, Ernie (L)	Prince Edward-Hastings	
Patten, Richard (L)	Ottawa Centre / -Centre	
Peters, Steve (L)	Elgin-Middlesex-London	
Phillips, Gerry (L)	Scarborough-Agincourt	
Prue, Michael (ND)	Beaches-East York	
Pupatello, Sandra (L)	Windsor West / -Ouest	
Ramsay, David (L)	Timiskaming-Cochrane	
<b>Runciman, Hon / L'hon Robert W.</b> (PC)	Leeds-Grenville	Minister of Public Safety and Security / ministre de la Sécurité et de la Sécurité publique
Ruprecht, Tony (L)	Davenport	
Sampson, Rob (PC)	Mississauga Centre / -Centre	
Sergio, Mario (L)	York West / -Ouest	Deputy opposition whip / whip adjoint de l'opposition
Smitherman, George (L)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	
Snobelen, John (PC)	Mississauga West / -Ouest	
Sorbara, Greg (L)	Vaughan-King-Aurora	
Spina, Joseph (PC)	Brampton Centre / -Centre	Parliamentary assistant to the Minister of Labour / adjoint parlementaire au ministre du Travail

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
<b>Sterling, Hon / L'hon Norman W. (PC)</b>	Lanark-Carleton	Minister of Transportation / ministre des Transports
Stewart, R. Gary (PC)	Peterborough	Parliamentary assistant to the Minister of Natural Resources / adjoint parlementaire au ministre des Richesses naturelles
<b>Stockwell, Hon / L'hon Chris (PC)</b>	Etobicoke Centre / -Centre	Minister of the Environment, government House leader / ministre de l'Environnement, leader parlementaire du gouvernement
Tascona, Joseph N. (PC)	Barrie-Simcoe-Bradford	Parliamentary assistant to the Minister of Consumer and Business Services / adjoint parlementaire au ministre des Services aux consommateurs et aux entreprises
<b>Tsubouchi, Hon / L'hon David H. (PC)</b>	Markham	Chair of the Management Board of Cabinet, Minister of Culture / président du Conseil de gestion du gouvernement, ministre de la Culture
<b>Turnbull, Hon / L'hon David (PC)</b>	Don Valley West / -Ouest	Associate Minister of Enterprise, Opportunity and Innovation / ministre associé de l'Entreprise, des Débouchés et de l'Innovation
Wettlaufer, Wayne (PC)	Kitchener Centre / -Centre	Parliamentary assistant to the Minister of Tourism and Recreation / adjoint parlementaire au ministre du Tourisme et des Loisirs
<b>Wilson, Hon / L'hon Jim (PC)</b>	Simcoe-Grey	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
<b>Witmer, Hon / L'hon Elizabeth (PC)</b>	Kitchener-Waterloo	Deputy Premier, Minister of Education / vice-première ministre, ministre de l'Éducation
Wood, Bob (PC)	London West / -Ouest	Parliamentary assistant to the Minister of Public Safety and Security / adjoint parlementaire au ministre de la Sécurité et de la Sécurité publique
<b>Young, Hon / L'hon David (PC)</b>	Willowdale	Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones



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McMeekin, Bill Murdoch, Wayne Wettlaufer  
Clerk / Greffier: Katch Koch

These lists appear in the first and last issues of each session and on the first Monday of each month. A list arranged by riding appears when space permits.

Ces listes figurent dans les premier et dernier numéros de chaque session et du premier lundi de chaque mois. Par contre, une liste des circonscriptions paraît si l'espace est disponible.

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## Legislative Assembly of Ontario

Third Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Troisième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 24 September 2002

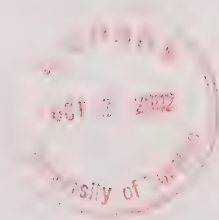
Mardi 24 septembre 2002

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 24 September 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 24 septembre 2002

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### DÉRÈGLEMENTATION DE L'ÉLECTRICITÉ

**M. Jean-Marc Lalonde (Glengarry-Prescott-Russell):** Je désire vous faire part du grand mécontentement des citoyens et citoyennes quant aux augmentations déplorables du coût de l'électricité en Ontario.

Il va sans dire que je reçois des centaines d'appels à mes bureaux de personnes découragées qui ne savent plus quoi faire et qui ne voient pas de leur au bout du tunnel.

Au mois de juin dernier, le ministre de l'Énergie du temps était fier de nous dire que la déréglementation de l'électricité était profitable pour le consommateur de l'Ontario. Si elle était profitable au mois de mai dernier, pourquoi aujourd'hui le consommateur doit-il faire face à une augmentation de 152 % depuis cette belle annonce du mois de juin ?

Voici ce que la déréglementation a causé chez le consommateur. Le mois dernier, le Marché Richelieu d'Embrun a connu une augmentation de 41,8 % comparativement à l'an dernier. M. Wilfred Marcelais, un vétéran de la deuxième grande guerre, vivant sur une petite pension, s'est vu exiger un dépôt de 400 \$ en tant que locataire dû à l'augmentation du coût du kilowattheure. On a demandé à M<sup>me</sup> Denise Lacombe de St-Pascal un dépôt de 625 \$. M. Murray Allen, un agriculteur de Vankleek Hill, a reçu une augmentation considérable.

Pourtant, le gouvernement actuel avait bel et bien dit que la déréglementation de l'électricité serait à l'avantage de tous les gens de la province. Que dites-vous maintenant aux gens de la province qui ne savent plus quoi faire ni comment s'en sortir ? Dites-moi, que dois-je répondre à mes concitoyens et concitoyennes qui sont dans une grande incertitude financière ? C'est quoi, la réponse ? C'est quoi, votre promesse ?

#### PETER BARNARD

**Mr John O'Toole (Durham):** I rise in the House today to pay tribute to Dr Peter Barnard, the CEO of Iter Canada. As the members may know, Dr Barnard was the leader of those working toward bringing a multi-billion-dollar fusion energy research centre to Ontario.

Unfortunately, Dr Barnard died August 29. Regrettably, Dr Barnard did not see the outcome of his advocacy on behalf of Iter. However, he more than established the foundation of Canada's bid for this international project. He put in place a dedicated team that will carry out his vision.

In my riding of Durham, the Iter community council is part of that team. Its members include community leaders such Gary Polonsky, Mayor John Mutton, Regional Chair Roger Anderson, Ron Collis, Adrian Foster, Wally Hicks, Dennis Schmiegelow, Tim Whittaker, Frank Wu, Aileen Fletcher, Chris MacKenzie and Tom Tidey.

My riding of Durham is home to the Darlington nuclear generating station and the preferred Canadian site of this international project. Dr Barnard was an important part of our community because of his vision for the Iter project and his commitment to working with the local community.

Our thoughts are with Dr Barnard's wife Despina, his sons Robert and Christopher, and his family. As head of Iter, he had a much larger family that included those who shared his vision and dream. Many of these individuals are from my own riding of Durham. We will miss him, even as we resolve to carry out the great work that he began.

#### HYDRO RATES

**Mrs Marie Bountrogianni (Hamilton Mountain):** Families on Hamilton Mountain want to know whom the Tory restructuring scheme for Hydro was supposed to benefit. They've asked me to tell this Legislature of their alarm, their shock and total dismay over the huge increase in their hydro bills.

People of modest means living in modest homes are expected to budget for hydro bills exceeding \$400. Can this be right? Has anyone told the Premier that living in Ontario is not supposed to be an episode of Survivor?

My constituent Debra Hughes certainly worries about how she will make ends meet. She is single, a working mother living in a townhouse on Hamilton Mountain.

**Mr Gilles Bisson (Timmins-James Bay):** Tell her to check the Web site.

**Mrs Bountrogianni:** I think you'll want to hear this, Mr Bisson.

Ms Hughes's little girl has just undergone a heart transplant. She requires air conditioning to survive. Her recent hydro bill was \$449. She cannot sustain these kinds of energy charges. We're speaking of a little girl's life.

Bev Rice, a few years from becoming a senior living on a fixed income, wants to know how the Premier expects her to live on a fixed pension if utility rates continue to skyrocket. Her hydro bill is \$583. She adds her voice to those of hundreds of my constituents who are not only concerned but are scared that they have no control in preventing future energy increases.

Throwing Ontario families to the mercy of an energy market without consumer protection is creating tremendous hardship and insecurity. Is this where Ernie Eves plans to take this province?

### ONTARIO WORKS

**Mr AL McDonald (Nipissing):** The Ministry of Community, Family and Children's Services has designated the District of Nipissing Social Services Administration Board as the delivery agent for Ontario Works in Nipissing district. The board has recently brought to my attention an example of the success of the Ontario Works community placement component. This story demonstrates how the interests and needs of individual clients—dignity, respect and equality of opportunity—and how self-esteem, decision-making and enhanced control over their own future are supported through community participation.

I'd like to take this opportunity to read a success story to you, as written by its author, Ms Jennifer Blais of North Bay. She writes: "The Ontario Works program is an amazing program for individuals who need to gain more valuable work experience. This program goes above and beyond to help people on assistance to get back into the workforce. Without this program many people would be unemployed because they didn't have the opportunity to gain the skills needed to go back to work. This program has helped me tremendously. I have been given an opportunity to expand my skills and knowledge as well. Ontario Works deserves an award for the great work that they have done and still are doing. Without them I wouldn't be where I am now...."

"I have learned so much and I am so grateful that I have had the opportunity to use the skills I obtained from school.... I hope that others will get a chance like me, to better their life and their skills.

"Sincerely,

"Jennifer Blais"

I personally would like to thank Bill White, Tolou Rouhani and all those who worked at the DNSSAB board in Nipissing. Well done.

Minister Elliott, you should be very proud of your ministry.

### HYDRO DAMS

**Mr Michael A. Brown (Algoma-Manitoulin):** I have today but one question to ask of the Ernie Eves government: if you don't want us to live in small communities in rural northern Ontario, why don't you just tell us so?

In the deregulation or reregulation of Hydro, the dams on the Mississagi River, the dams that were sold from Ontario Power Generation to a Brascan subsidiary have operated without sufficient or even insufficient supervision by the Ministry of Natural Resources. Those dams have lowered the water levels in those lakes to the extent that tourist operators have been put out of business, that people who rely on the fishery as tourists cannot use them. Those peaking dams have been running 16 hours a day. The lake at the top of the chain, Rocky Island Lake, might very well now be known as the Rocky Island desert. The water is gone.

This pattern of use has not happened before in Ontario's history. It is a direct result of the opening of the market. It is the direct result of the Ministry of Natural Resources being absent without leave. It is of grave concern to my constituents in the Mississagi River valley and all those communities that are downstream. Where is the Minister of Natural Resources in all of this?

1340

### HYDRO RATES

**Mr David Christopherson (Hamilton West):** The Tory Hydro privatization scheme is driving prices sky-high, and we're all paying the price. My office has received dozens of calls from angry constituents complaining about the huge jump in their hydro bills, jumps of over 40%.

I have a Hamilton hydro bill here that lists eight different charges including an energy charge, a non-competitive energy charge, a debt retirement charge, transmission connection charge, transmission network charge, viable distribution charge, fixed distribution charge and an administrative charge. These baffling charges are causing widespread confusion, worry and anger. My constituents are seeing their hydro bills going up and up with no end in sight.

These outrageous increases hurt all consumers. Seniors, the disabled and others on fixed incomes are particularly hard hit. As well, rising electricity prices are putting thousands of industrial jobs at risk and hurting companies like Stelco and Dofasco in my hometown of Hamilton.

Public power, not private profit, is the best way to ensure an affordable, reliable source of electricity for our citizens and businesses. For once, just once, let's see this government stand up for consumers and pull the plug on the Hydro privatization fiasco now.

### DIONYSIA FOOD AND WINE FESTIVAL

**Mr Wayne Wettlaufer (Kitchener Centre):** I rise today to congratulate the Greek-Cypriot community of Waterloo region on the success of their sixth annual Dionysia Food and Wine Festival, which was held on Labour Day weekend in Kitchener.

Six years ago the community's leaders had an idea of a family event that allowed all the members of the family



to participate: children's games, an authentic Cypriot café, arts and crafts displays, delicious Greek-Cypriot food and pastries and, of course, some of the best wine and beer you could have, all the way from the Mediterranean.

The highlight of the weekend event was a grape-crushing contest in which I was able to participate for the second year in a row. Last year I won, but this year I finished second. But I do want to thank Minister David Tsubouchi for being there to assist me while I crushed the grapes.

The festival has the support of all the local MPPs. I also thank Minister Witmer for attending. Her busy schedule still allowed for her to be there.

I want to congratulate the volunteers, the executive and the organizers of the Greek-Cypriot community for their sixth successful Dionysia Food and Wine Festival. I wish them all the best in the future, and I assure them that I look forward with much anticipation to attending again next year. Opa.

#### PREMIER OF ONTARIO

**Mr Bruce Crozier (Essex):** Many Ontarians know how much Bay Street Ernie loves to buy himself whatever he wants. Last year, Bay Street Ernie Eves decided he wanted to be Premier, so he went out to his pals on Bay Street and collected every IOU he could. In total, Bay Street Ernie Eves spent more than \$3 million to be Premier. Sure, there was a limit of \$1.5 million on spending, but when did the rules ever apply to Bay Street Ernie?

Bay Street Ernie bought himself the Premier's office. He wanted it, and in classic Bay Street style he went out and bought what he wanted. Now that he has the Premier's office, Bay Street Ernie doesn't know what to do with it. He hems and he haws and he dillies and he dallies but he has no vision. He even adjourns the House early.

The honour of serving the public can't be bought. The honour can only be earned through hard work, vision and a commitment to the people of Ontario. Only Dalton McGuinty has the new plan and the new perspective needed to earn the privilege of serving in the Premier's office. After the next election, that's exactly what Dalton McGuinty will do.

#### JAY TRIANO

**Mr Bart Maves (Niagara Falls):** As the member for Niagara Falls and a former basketball player and coach at A.N. Myer high school in Niagara Falls, it makes me very proud today to stand and congratulate Jay Triano, a Myer graduate who has just been named assistant coach with the NBA Toronto Raptors. Jay is the first-ever born-and-bred Canadian to coach in the NBA.

For many years, Jay packed the gyms every Friday night at A.N. Myer, in the halcyon days of Niagara Falls basketball. He then went on to Simon Fraser University

in BC on a scholarship, where he was team captain and set many school records for four years. He was drafted by the Los Angeles Lakers and was the last guard cut in the Magic Johnson era. He then served for 11 years on the Canadian national team, many of those years as captain under coach Jack Donahue. He returned to coach at Simon Fraser University and then worked for the Vancouver Grizzlies and TSN. He was also recently named the national team coach, and demonstrated his leadership abilities in the 2000 Olympics, when Canada played exceptionally and ended with a five-and-two record.

Congratulations to Jay, his wife and kids, to Mr and Mrs Triano and Jeff and Jody. The entire Triano family has always brought great pride to our community through their many varied accomplishments. Jay's most recent success is no exception.

#### VISITOR

**The Speaker (Hon Gary Carr):** Just before we continue, we have with us today in the Speaker's gallery Mr Alex Geiger, the Consul General of Chile. Please join me in welcoming our honoured guest.

#### LEGISLATIVE PAGES

**The Speaker (Hon Gary Carr):** We also have with us, as you know, serving the third session of the 37th Parliament a new group of pages.

We have Émilie Arcand from Ottawa-Orléans; Philip Baker from Durham; Venessa Casey from Hamilton East; Isabella Chau from Trinity-Spadina; Valerie Davis from Pickering-Ajax-Uxbridge; Drew Denny from Simcoe-Grey; Carley Gallagher from Peterborough; Paula Gilchrist from Whitby-Ajax; Kyle Gulab from Scarborough-Agincourt; Edward Kuhn from Etobicoke Centre; Philippe Leroux from Nickel Belt; Sam Luong from Vaughan-King-Aurora; Megan McCrae from Halton; Curtis Ng from Scarborough-Rouge River; Kevin Quach from Toronto Centre-Rosedale; Jonna Reaume from Windsor West; Thomas Schultz from Lanark-Carleton; Rachel Stark from Don Valley West; Matthew Steckly from Perth-Middlesex; and Ellen Stephenson from Ottawa Centre. Please join me in welcoming our new group of pages.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**The Speaker (Hon Gary Carr):** I beg to inform the House that during the recess, the Clerk received the second and third reports of the standing committee on government agencies.

Pursuant to standing order 106(e)9, the reports are deemed to be adopted by the House.

## VISITEURS

**M. Gilles Bisson (Timmins-Baie James):** C'est seulement pour dire la bienvenue à deux visiteurs de Bretagne, Janine Chauvelon et Denise Lemoine, qui viennent de la France visiter et observer notre parlement ici en Ontario.

1350

STANDING COMMITTEE ON  
REGULATIONS AND PRIVATE BILLS

**Mr Rosario Marchese (Trinity-Spadina):** I beg leave to present the first report, 2002, of the standing committee on regulations and private bills.

**The Speaker (Hon Gary Carr):** Does the member wish to make a brief statement? No? I thank the member.

## INTRODUCTION OF BILLS

## FAMILY HEALTH BENEFITS ACT, 2002

LOI DE 2002  
SUR LES PRESTATIONS FAMILIALES  
DE MALADIE

Mr Martiniuk moved first reading of the following bill:

Bill 176, An Act to provide for some continuation of benefit plans of employees after the end of their employment / Projet de loi 176, Loi prévoyant une certaine continuation des régimes d'avantages sociaux des employés après la fin de leur emploi.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Gerry Martiniuk (Cambridge):** This bill amends the Employment Standards Act to provide that a person who has been employed for at least 12 months is entitled to have the employer provide, offer or arrange the benefit plan provided during that employment to be continued on an optional basis for up to six months when that employment ends.

MUNICIPAL STATUTE LAW  
AMENDMENT ACT, 2002LOI DE 2002 MODIFIANT DES LOIS  
EN CE QUI A TRAIT AUX MUNICIPALITÉS

Mr Hodgson moved first reading of the following bill:

Bill 177, An Act to amend the Municipal Act, 2001, the Municipal Elections Act, 1996 and other Acts consequential to or related to the enactment of the Municipal Act, 2001 and to revise the Territorial Division Act / Projet de loi 177, Loi modifiant la Loi de 2001 sur les municipalités, la Loi de 1996 sur les élections municipales et d'autres lois par suite de l'édiction de la

Loi de 2001 sur les municipalités et révisant la Loi sur la division territoriale.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The minister for a short statement?

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** The Municipal Statute Law Amendment Act, 2002, will include a number of amendments to improve the accountability and efficiency of the Ontario municipal election process. It also contains a number of housekeeping measures related to the Municipal Act, 2001.

The Municipal Elections Act affects both municipal and school board elections. Among other things, this legislation would, if passed, help ensure that candidates comply with the election finance rules. It would also make it easier for municipal clerks to run elections.

Two municipal elections have been held under the new legislation since 1996 when the Municipal Elections Act underwent a major overhaul. A review of the act, in consultation with groups such as the Association of Municipalities of Ontario and the Association of Municipal Clerks and Treasurers, has led to a number of proposed changes to make the municipal elections process even more effective and transparent.

We are proposing changes to the election financing rules. The Municipal Elections Act includes deadlines for candidates to file financial statements after the end of a campaign. Although most candidates have met those deadlines, some have not. We have introduced more stringent measures to encourage compliance with the rules.

The other part of the bill relates to the Municipal Act, 2001, the first real overhaul of the legislation in this province in 150 years. Municipalities have been asking for an updated and streamlined act for many years, and they were extremely pleased with the new act. In general, the changes to this act are simply housekeeping amendments and good government.

## ORAL QUESTIONS

## HOMELESSNESS

**Mr Dalton McGuinty (Leader of the Opposition):** My first question today is for the Deputy Premier. You will know that just a few hours ago the police moved in and evicted the homeless people living in Toronto's tent city. You will also know that your government, the Harris-Eves government, walked away from its responsibility for social housing a long time ago.

Government help for those with mental illness and addiction problems is woefully inadequate. Shelters are at 95% capacity today, to say nothing of what is going to happen during the winter months. Tell me, Madam Minister, where are these people supposed to go? Who is



going to help them pick up their lives and re-enter society?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I'm going to refer that to the Minister of Community, Family and Children's Services.

**Hon Brenda Elliott (Minister of Community, Family and Children's Services):** I appreciate the question from my colleague across the floor. As he will know full well, municipalities are responsible for providing homeless shelters and things of that nature in their local communities. The province is very pleased to provide the financial support for that. If the city of Toronto determines that there is a need for more shelter spaces, then we will do as we have always done and fund these on an 80-20 cost-sharing basis.

**Mr McGuinty:** Thank you, Pontius Pilot. Our municipalities cannot possibly cope on their own with the problems connected with our homeless. They need a partner. You are supposed to be that partner.

These people are going to move to public parks, they're going to sleep on sidewalks and maybe even move into people's backyards. What I want to know on their behalf is, specifically, what are you and Ernie Eves going to do for these people? What emergency assistance are you now going to provide and what long-term solutions will you implement to make sure these people get the help and the housing they need?

**Hon Mrs Elliott:** First of all, in an article just recently published on this, Home Depot indicates, "We have worked closely with the authorities to ensure that these people will have access to Toronto's social services support network." So no actions were undertaken until consultations had been made with the local municipality.

I would point out to my colleague across the way that already the province of Ontario gives Toronto \$74 million in support of homelessness programs. That's just to the city of Toronto. Of course, we provide much more across the province as a whole in a variety of different kinds of programs and, again, if more is required, we will co-operate by sharing 80-20.

**Mr McGuinty:** Much more is required, Madam Minister, and you should understand that. This is not an issue for Home Depot to address. The city of Toronto cannot possibly undertake this on their own. The federal government has extended a very generous offer and you refused to take them up on that.

Here is your sorry record when it comes to the homeless in Ontario: you gutted rent controls; you walked away from social housing; you broke your promise to bring in rent subsidies; you cut funding for addiction and mental health services, and you did all of this quite proudly while slashing welfare rates in Ontario. Why not admit it, Madam Minister: your record is absolutely shameful when it comes to lending support to some of our most vulnerable and needy people.

I ask you again on their behalf, what specifically are you going to do by way of emergency assistance and, then, over the long term, what are you going to do to find housing and other forms of assistance for our homeless?

**Hon Mrs Elliott:** I remind my colleague across the way that homelessness is a very complex issue that requires all levels of government to co-operate to find a solution.

I would remind my colleague across the way that recently Ontario announced that it would donate the net proceeds from the sale of the former Princess Margaret Hospital site to the city of Toronto to address homelessness.

Our contribution has never been greater. Some \$58 million goes to the city of Toronto to help with emergency hostel service costs; \$4.9 million in provincial funds under the provincial homeless initiatives fund; \$4.9 million under the emergency hostel funding program; \$1.4 million for the Off the Street, Into Shelter program; \$3.6 million for the supports to daily living programs; and just under \$1 million for the community partners program. We are doing our share to try and solve this very difficult and very complex problem.

1400

## HYDRO RATES

**Mr Dalton McGuinty (Leader of the Opposition):** This is a question to the Minister of Energy. Our offices—and I'm sure that you over on that side of the House are experiencing the same thing—are being deluged with complaints about skyrocketing hydro bills in Ontario. I want to allow you to address some very specific examples that have been brought to our attention.

Ivan and Fran Foster are seniors living on a fixed income in Pefferlaw, Ontario. They write that their "monthly flat rate charge for ... hydro has increased from \$166 to \$208 per month. This is a yearly increase of \$504." They go on to write that "\$504 is a considerable increase to pensioners on a fixed income. Our lifestyle has not changed over the past 10 years; how do you justify this kind of increase?"

I ask you, Minister of Energy, on behalf of Ivan and Fran Foster, how can you possibly justify the kind of increase that they and so many other seniors living on fixed incomes right across Ontario are experiencing as a result of your government's mismanagement?

**Hon John R. Baird (Minister of Energy, minister responsible for francophone affairs):** When the government announced our intention of going to an open market for electricity beginning May 1, we knew that in some months the price would go down, as it did in the first two months of the market opening, and in some months the power charges would go up, as in the third and fourth months. What we did notice was this past summer we saw the hottest summer in half a century. We broke records on more than five or six days, particularly in the greater Toronto area, and obviously as the temperature rises people use more electricity. Obviously as the temperature rises there is greater demand, and that causes some fluctuations in price.

I would indicate to the honourable member that he should give the market some time. He should give it a

full 12 months to be able to look at the whole thing in context. He should look at the substantial rebates that will be at least 50% to those people who qualify, if rates are indeed, at the end, above 3.8%, which would be at least 50% of the reduction. Given that that is based on 3.8%, the market opened at 4.3%.

**Mr McGuinty:** Ivan and Fran Foster and other seniors like them around Ontario don't have time for your markets to somehow work themselves out and have some kind of an impact when it comes to lowering hydro rates. They need help now. They're looking to you for assistance now. Our offices are being deluged with calls and letters about your policies that are causing their hydro rates to skyrocket.

Here's the case of Debra Hughes from Hamilton. She is a single working mother living in a townhouse. Her daughter has undergone a heart transplant. She requires constant air conditioning for health reasons. Air conditioning is not a luxury for her; it has become something that is essential. Debra's most recent hydro bill was \$446.38. I'm asking you on behalf of Debra Hughes and her daughter, what specific assistance are you going to give them, because they're facing a hydro bill of \$446.38 as a result of your government's policies?

**Hon Mr Baird:** What would have been done in the past is rates would have remained stable and they would have just borrowed more money on the backs of hydro customers right across the province of Ontario. So they would get one bill now and one bill later. We saw what those policies by successive governments of all three political parties did, and what it meant was a \$38-billion deficit. To put that in context, that's more than \$3,000 for every man, woman and child in the province. It's more than \$10,000 for every family.

We couldn't continue to operate the system the way it had been operating in the past. That's why we're taking some action to ensure we have a competitive market and we can do everything we can to ensure prices would be lower than they otherwise would have been. That's our plan and that's what we're moving forward on.

**Mr McGuinty:** Minister, if only you had brought the same dedication and commitment to ensuring that Eleanor Clitheroe had a fantastic salary and million-dollar severance package—if only you had brought that kind of commitment and dedication to standing up for hydro ratepayers right across the province of Ontario.

Your government's policies were going to mean good things for hydro ratepayers. They have obviously been a complete, abysmal failure.

What are you going to do for people like those whose situations I've raised here today and the many more we are going to continue to bring into this Legislature until you assume your responsibilities, or until at least somebody over there assumes their responsibilities and stands up for the people of Ontario who are getting ripped off today through their hydro bills?

**Hon Mr Baird:** The member opposite takes one month's bill on what was the hottest summer in 50 months. Next thing you know, the Leader of the Opposi-

tion is going to be standing in his place and suggesting that somehow we're colluding with Mother Nature as part of our hydro reforms. Nothing could be further from the truth.

#### COMPETITIVE ELECTRICITY MARKET

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Deputy Premier. As people across Ontario—

*Interjections.*

**The Speaker (Hon Gary Carr):** Will the member take his seat? Order. The leader of the third party now has the floor. The leader of the third party, opening question.

**Mr Hampton:** As people across Ontario open their hydro bills, we learned today that Great Lakes Power, the company that hit the people of Wawa and Algoma district with 44% hydro rate increases, gave \$25,000 to Premier Ernie Eves's leadership campaign. The parent company of Great Lakes Power, Brascan, gave a total of \$100,000 to the Ernie Eves leadership campaign. In return, the Brascan companies, including Great Lakes Power, profited immensely from the hydro price hikes this summer due to deregulation. Your hydro dirty deal just gets dirtier every day.

Minister, is this your government's message: give big bucks to Ernie Eves, get big profits and let the people of Ontario pay through the nose?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I would refer that to the Minister of Energy.

**Hon John R. Baird (Minister of Energy, minister responsible for francophone affairs):** The accusations the member opposite makes are patently absurd. For the member opposite to stand in his place and somehow make accusations of that nature I think demeans this place and it demeans him and the role that he has played in this place in the past.

What we do see in the situation with Great Lakes Power in Wawa is a ruling by the Ontario Energy Board—not by Ernie Eves, not by Elizabeth Witmer, not by Jim Flaherty, not by Chris Stockwell and not by Tony Clement but by Floyd Laughren—with respect to the transmission and distribution separations and changes which have taken place there. Rather than asking for cross-subsidization of one consumer cost to another, rather than looking to the people who are supported by Sault Ste Marie public utilities, rather than looking to certain classes of customers by Great Lakes Power, people are paying the actual costs rather than others subsidizing them. That was a decision of the Ontario Energy Board and the member's former colleague Floyd Laughren.

**Mr Hampton:** I gather the energy minister thinks it's OK that Brascan gave the Premier \$100,000 for his campaign and then hiked the rates by 44%. But there's more to this story.



As part of your hydro privatization scheme through Ontario Power Generation, you sold Great Lakes Power and Brascan four hydro stations on the Mississagi River. This summer, Brascan and Great Lakes Power, trying to make as much money as they could out of peak hydro prices, literally drained the reservoir, Rocky Island Lake. Tourist operators were forced to close. The lake ecosystem was disrupted and fish spawning grounds were destroyed. I brought a photograph of what the lake used to look like. That's what it used to look like.

**The Speaker:** Member, put the prop down, please. Continue without the prop.

1410

**Mr Hampton:** I'll send you over a copy of the picture.

The question is this: is this the message from hydro privatization and deregulation: give \$100,000 to Ernie Eves and the Conservative government and they'll even let you drain a lake to make profits from hydro privatization?

**Hon Mr Baird:** I don't want to let the premise of the member's question go unaddressed. I do find it regrettable that the member opposite seeks to advance his own political career by engaging in character assassination and somehow making some outrageous allegations with respect to electoral support and public policy decisions. If the member opposite has any single shred of evidence to suggest, he should put it on the floor of this House right now, right here. But I think the reality is that he's only interested in character assassination and seeking to further his own political interests, and I find that incredibly regrettable.

With respect to the situation he speaks of, we know the NDP doesn't like nuclear power. We know the NDP doesn't like fossil fuel power. Now they're actually getting upset—what are the hydroelectric generating stations using? They're using water. How does he expect hydroelectric power to be generated in Ontario? There's a dam, they drain it. There are plans that can be filed with the Ministry of Natural Resources on proper environmental protocol, and I encourage any concerned citizen to take those concerns to MNR to be followed.

**Mr Hampton:** Minister, I think the paper trail speaks for itself. Give \$100,000 to Ernie Eves's leadership campaign and you can hike the hydro rates and you can drain the lake to make more money.

The representative of Great Lakes Power, when he was asked about this, said, "The new energy market is changing how things are done. Generators are more responsive to pricing signals. They don't give a damn about the environment."

Minister, the question for your government is this: will you cancel this insidious privatization and deregulation project, or do you really wear a sign in front of your government saying, "Bought for and sold"?

**Hon Mr Baird:** No.

**Mr Hampton:** I'm disappointed, Speaker. The Minister of Energy doesn't want to answer the question.

## INVESTOR PROTECTION

**Mr Howard Hampton (Kenora-Rainy River):** To the Minister of Finance, people all across Ontario are getting some very bad news in their mail, and I don't just mean their hydro bills. People are also opening their monthly RRSP statements and getting a sickening feeling in their stomachs because their hard-earned retirement savings are melting away. Many Ontarians have watched their savings literally depreciate by 25% over the past two years.

In response to the Nortels, the Enrons and the WorldComs, I actually put out a paper this summer that raised the issue of better protection of people's savings, better protection of their investments.

Minister, what is your government going to do to protect those people whose pension plans are at risk, whose life's savings are at risk as a result of the Nortels, the Enrons and the WorldComs?

**Hon Janet Ecker (Minister of Finance):** I think every member of this House shares the desire to make sure that the markets in this country are fair to consumers, are good investments and are well protected, and this government certainly appreciates that. That's why we've had a review of securities legislation going on in this province. Purdy Crawford just did the draft report this year. We'll be moving forward this fall with some legislative changes to make sure that markets here in Ontario are well protected, that investors and consumers know that when they invest in a company here in Canada their money is protected.

**Mr Hampton:** First and foremost, what happened in many of those scandals was in effect an accounting scandal caused by inadequate regulation of the public auditing industry. As you know, the US government has recently passed the most sweeping investor protection laws seen in the United States since the Great Depression, with tough new rules reining in out-of-control accounting industries.

Key to our discussion paper No Enrons in Ontario is a proposal to end public auditing self-regulation in this province and create a true statutory public-oversight board for Ontario's public accounting industry. We're proposing tough new laws which would end the Arthur Andersen type of conflict of interest and make it illegal for firms such as KPMG and others to do auditing and then consulting for the same company.

Minister, will you finally crack down on the out-of-control accounting industry that brought us the Enron and WorldCom disasters?

**Hon Mrs Ecker:** I think it's important to note for investors here in Canada that those so-called scandals that he talked about happened in another country. Those issues happened in the United States. What we in Canada are doing is making sure that they cannot happen here, because people, whatever their age, when they put their hard-earned money into a mutual fund or stocks or invest in any way, need to know that money is protected.

What the honourable member may well be interested to know is that the audit industry in Canada, the national

audit body, the Canadian Public Accountability Board, has already put in place stronger standards. The Attorney General will be coming forward with stronger standards under his legislation. I myself, as the Minister of Finance, will be coming forward, as I said earlier, with stronger legislation based on the reviews from the Purdy Crawford report.

We agree that protecting investors' money is one of the primary things that we must ensure happens here in Canada. We already have rules that are much more extensive than the United States. For example, we have a continuous disclosure policy here to make sure that companies are putting information out there. We need to continue to make sure that those things that happened in the United States can never happen here.

### INTERNATIONAL LANGUAGE PROGRAMS

**Mr Dalton McGuinty (Leader of the Opposition):**

My question is for the Minister of Citizenship. Minister, as your government's advocate for human rights and as your responsibilities would make you a champion of diversity, I want to ask you about the international language programs offered by the Toronto District Board of Education.

The international language programs have been said to be on the chopping block. That was some of the advice put forward by the auditor, and I understand the supervisor is now actively considering that. My question to you is simple: do you agree that these international language programs should be eliminated? Yes or no?

**Hon Carl DeFaria (Minister of Citizenship, minister responsible for seniors):** I'd like to refer the question to the Minister of Education.

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** Our government has long recognized that students must have very strong language skills in order to achieve success. That's why every year we have increased the funding that is available for teaching English as a second language. We have increased the funding to \$168.5 million. That is an increase of 50% since 1998-99.

**Mr McGuinty:** I'm going to return to the minister, who is, I would argue, shirking his responsibilities. I'm not talking about the English-as-a-second-language program; I'm talking about the international language programs. I'm talking about programs where more than 33,000 Toronto students are enrolled, learning some 40 different languages. I'm talking about building a solid foundation in a knowledge economy for doing business with the world. That's what I'm talking about.

I'm asking you, as minister responsible for citizenship, as the champion of diversity within your government, are you prepared to stand up and allow some supervisor or auditor to shut down international language programs in Toronto, yes or no?

**Hon Mrs Witmer:** It is this type of fear-mongering that creates anxiety.

*Interjections.*

**The Speaker (Hon Gary Carr):** The minister take her seat.

*Interjections.*

**The Speaker:** The member for Don Valley East, come to order. Minister, sorry for the interruption.

**Hon Mrs Witmer:** It is extremely important that we all keep in mind the funding increases that have been provided to the Toronto District School Board: an increase of \$51.8 million in 2002-03, an increase of 2.7% while enrolment is only going up about 0.6%. I would suggest that we work together to build on the strengths of our public school system in Ontario and that we refrain from the fear-mongering that you've been doing.

1420

### ASSISTANCE TO FARMERS

**Mr John O'Toole (Durham):** My question is to the Minister of Agriculture and Food. Over the summer, I had the opportunity to speak with a number of farmers in my riding of Durham concerning a number of support programs. I appreciate the input from farmers such as Dale Mountjoy, Dave Frew, Trevor Nesbitt, Gail and Arnold Kerry, Steve Selby and others. But more importantly, I appreciate the time you took to speak with them directly when you visited for the 150th anniversary of the Orono central fair.

It was obvious from discussions you and I had with the community that due to market and weather conditions we need to deliver immediate assistance to those in need.

Minister, can you inform the farmers, not just in my riding of Durham but indeed across the province, of recent initiatives that you've undertaken to assist this vital sector of the Ontario economy?

**Hon Helen Johns (Minister of Agriculture and Food):** I'd like to thank the member for Durham for the question. As the member recognized, this government signed the agricultural policy framework in June. At that time we made a commitment to match the federal government's transition money by putting forward our 40% share of the bridge funding. Since that time, at the International Plowing Match, the Premier and I have honoured that commitment and the Premier announced that we would put \$72 million into the agricultural community to ensure that they receive the funding and investment they deserve from the Ontario government.

We followed the requests of the Ontario Agricultural Commodity Council to ensure that we put dollars where the agricultural community thought it needed them. In so doing, we used the market revenue insurance program to put the bulk of the dollars, and the balance into the NISA program. I think it's important to recognize that the farm groups asked for us to put it into those specific areas. We complied with their decision and we're happy to follow through as quickly as possible to ensure that valuable investment in agriculture comes through.

**Mr O'Toole:** Thank you for that very comprehensive response, Minister. I would also like to applaud you



publicly not just for this announcement but for visiting my riding and being throughout Ontario this summer, watching the crops, watching the farmers do their business to grow the safest food in the world.

I certainly appreciate the assistance announced last week at the International Plowing Match at Glencoe. I know how positively you were received.

Minister, it's very clear that the Liberal opposition has abandoned farmers and doesn't recognize their desperate situation. Could you tell the House today what you are hearing from the commodity council and other agricultural businesses in Ontario?

**Hon Mrs Johns:** Let me say that the agricultural community is happy that these dollars are beginning to flow and the way in which they are flowing. The Ontario Federation of Agriculture suggested in its news release last week that they were happy that the cash was flowing out, as opposed to being put into a NISA program, where they wouldn't be able to get the dollars. They also suggested that it was getting easier to deal with the provincial government and that we needed to keep up this working relationship so that we could continue to work in partnership. It's very important, as we go down the road in the agricultural policy framework, that we work together to be able to ensure that we get the best deal for Ontario farmers so that they have a sustainable agricultural environment.

I tell you, I give my commitment to the agricultural community, as the Premier did in the last few weeks a number of times that he is prepared to work with the agricultural community, to be a spokesperson for the agricultural community and to be there for the agricultural community as we move forward on very important initiatives that will strengthen rural Ontario.

#### VISITOR

**The Speaker (Hon Gary Carr):** Would you stop the clock for a moment?

We have a visitor joining us in the Speaker's Gallery: Mr Peter MacKay, member of the House of Commons for Pictou-Antigonish-Guysborough in Nova Scotia.

#### PICOV DOWNS

**Mr Monte Kwinter (York Centre):** My question, to the Minister of Enterprise, Opportunity and Innovation, is about your relationship with Picov Downs, the smallest racetrack in Ontario. At the final meeting of the old cabinet, your supporter Tim Hudak forced through approval for up to 800 slot machines at Picov Downs.

If slots were awarded in proportion to the amount of wagering at a track, Picov Downs would get one and a half slots, not 800. Gaming industry experts cried foul. Fingers were pointed at you. You and the owner are old friends. Hudak was your supporter. The slots were issued moments before the new government took office.

Last night we learned that Picov Downs and Picov Farms greased the wheels of your campaign with at least \$80,000—that's \$80,000.

What role did Picov Downs's \$80,000 donation play in their receiving an inappropriate number of lucrative slot machines?

**The Speaker (Hon Gary Carr):** On a point of order, the government House leader.

*Interjections.*

**The Speaker:** Stop the clock.

The government House leader?

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** With great respect, obviously the minister is in charge of what the speaker opposite addressed. What this has to do with his ministry and what his ministry does today, I am not certain. May I ask for a ruling?

**The Speaker:** I thank the member.

*Interjections.*

**The Speaker:** Order.

The government House leader will know that preambles lead up to questions, and quite often a question will lead into his ministry. I am listening. I also will check and see, because I'm not sure now who has responsibility for gaming; that may have switched. The Attorney General, I'm being told.

Members will know they have to ask a question relating to his portfolio, and I'm sure the member will do that. I will listen very carefully to the question. If it does not, I will rule it out of order.

**Interjection:** What are you hiding over there?

**The Speaker:** Order.

Or the minister responsible may choose to answer it.

*Interjections.*

**The Speaker:** Order.

At the end, the wrap-up, I didn't hear the exact question. I was dealing with another issue; I did not hear the question. I will allow the question, and the member may answer it as he chooses or have the minister responsible answer it.

I will be listening very carefully in the future, particularly when it relates to questions relating to the financing of campaigns. Members opposite will know there is a way to ask that question and get it in there, but if you simply ask a specific question, I will rule it out of order.

The minister may answer.

**Hon Jim Flaherty (Minister of Enterprise, Opportunity and Innovation):** The question, insofar as it relates to gaming, is properly in the realm of the Attorney General. But since the member opposite has asked a question which reflects on my personal integrity, I will answer.

The entertainment complex that is envisioned on the Picov property in Ajax not only is supported by the council of the town of Ajax and by Durham council, but is also supported by the board of trade and by community groups. It is supported by me, as the member of provincial parliament for Whitby-Ajax, and I daresay is sup-

ported by my colleague the Minister of Finance, as a member of provincial parliament for Pickering-Ajax-Uxbridge.

I welcomed the support that was given to me by Mr Picov and by his supporters in Durham region when I sought to be the leader of my party in this Legislature. I welcome it. It's the right thing to do. There were many contributions to all the campaigns. People should contribute to political campaigns across Ontario. They did the right thing. It's good for my community, it's good for my region and I support it.

1430

**Mr Kwinter:** With all due respect, what I've just heard is an Eleanor Clitheroe explanation.

Let's talk about the mathematics. According to gaming experts, a slot machine in the Durham area should generate between \$500 to \$600 a day. If you had 800 slot machines at \$500 a day, 365 days a year, that would generate \$14.6 million.

After costs are figured in—purses, capital, refurbishment, taxes—800 slots at Picov Downs would generate approximately \$14.6 million to the owners every year. When you consider that at the present time the total wagering at their track—listen to this: the total wagering at the track, not the profits, was \$280,000 in 2001. So here they're going from a profit that is less than \$280,000, because they're not going to take all of the money, and they're looking at generating a profit of \$14.6 million—

**The Speaker:** Order. The member's time is up. Take your seat. There was no question there. The member has up to a minute to answer.

**Hon Mr Flaherty:** The question now appears to be about gaming revenues and I refer it to the Attorney General.

**Hon David Young (Attorney General, minister responsible for native affairs):** I'm not going to comment on the fanciful allegations that have come from the member opposite, although I must say, sir, that I am disappointed that a member with your reputation would stoop to this level.

I will tell you—and if I may, Mr Speaker—

*Interjection.*

**The Speaker:** Will the Attorney General take his seat. The member for Toronto Centre-Rosedale, come to order. Sorry for the interruption. Attorney General.

**Hon Mr Young:** Indeed, I thought what I would do in this discussion is introduce some of the facts. No decision has been made as to how many slot machines will be placed at Picov Downs, if any. What is happening now is that there is an application to the racing commission, and after that application a decision will be made as to how many racing days Picov Downs will have. Then the OLG will review the matter, decide what an appropriate business case is, and then it will be submitted to the government.

I want to stress that the OLG is an independent, arm's-length agency, as is the racing commission, and

after they give us recommendations, we will consider this matter. No decision has been made to date.

## STROKE STRATEGY

**Mr Bert Johnson (Perth-Middlesex):** My question is for my friend and colleague, the Honourable Tony Clement, Minister of Health and Long-Term Care. As most people are aware, strokes claim thousands of lives in Ontario every year.

*Interjection.*

**Mr Johnson:** If I can have a little quiet from the member for St Catharines, I'll continue with my question.

I understand there was an announcement made today regarding increased access to stroke prevention and care across Ontario. I'd like to ask the minister to explain the impact of today's stroke strategy announcement and how new initiatives will be of benefit to stroke victims and their families across Ontario.

**Hon Tony Clement (Minister of Health and Long-Term Care):** I thank the honourable member for Perth-Middlesex for a very appropriate question, because today I was delighted to announce the creation of 10 new stroke centres across Ontario, bringing the total number to 16 in the province.

What these 16 centres mean to the people of Ontario is an increased focus on prevention programs to combat high blood pressure and high cholesterol, designed to dramatically reduce the rate of strokes in our province by as much as 80%. It means new drugs and new technologies that make it possible to reverse or halt the damage caused by stroke, and that will be made available closer to home. Finally, it means more doctors and nurses will have the tools they need to provide better stroke care and better stroke therapy, all to the benefit of the people of Ontario.

**Mr Johnson:** Thank you very much for your response. Speaking on behalf of all my constituents, I wish to thank the minister for his ongoing commitment to providing quality health care to the people of Perth-Middlesex and all the residents of Ontario. This will be a very progressive program for the Stratford General Hospital.

I'm aware that today's announcement is an important part of Ontario's overall strategy on stroke prevention and treatment. I'd like the minister to update the House on the progress that has been made since the stroke strategy program was announced in the year 2000.

**Hon Mr Clement:** Indeed, today's announcement means that we have new centres in rural and urban hospitals such as Grey Bruce health centre, St Catharines General Hospital, Windsor Hotel Dieu Hospital, Stratford General Hospital, Lakeridge health centre, Sarnia General and Grand River, located in Kitchener.

Since the year 2000, this government's stroke strategy has been an annual investment of up to \$30 million a year to enhance the care to stroke victims and also to promote



stroke prevention initiatives. We have invested \$1.6 million in five secondary stroke prevention clinics.

We have also provided \$2.29 million for six pilot projects aimed to improve outreach services, home-based rehabilitation and improve the coordination of our rehabilitation services, all of which means that we have the programs in place for prevention, for quick action, and that means better survivability of strokes and fewer strokes in the first place, all of which is good news to the people of Ontario.

**Hon Janet Ecker (Minister of Finance):** On a point of personal privilege, Mr Speaker: I would just like to state for the record, since the opposition has been so interested in besmirching the integrity of members on this side of this House, that the MPP for Durham, the MPP for Pickering-Ajax-Uxbridge and the Ajax—

**The Speaker (Hon Gary Carr):** Take your seat, please. Minister take her seat.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: Will you take 30 seconds off the clock? Whenever we do points of privilege—

**The Speaker:** You're wasting a lot of time. We'll keep it going as long as you want. I work with both sides on this but I'm not going to be stepped to the clock. You pushed the question to the line; now you want me to step in and give you more time. I'm not going to do it. I wish I hadn't been interrupted, because had I not been, I might not have allowed that question. I'm going to listen very carefully and if you do go beyond the scope of a minister's responsibility, you simply won't get the question and we'll move on.

In terms of the time on the clock, the time is yours; you can do what you want. If you want to yell and scream, we'll continue to go on. The member for Trinity-Spadina can sit and wait. The time will go on and if you want to fool around, we will sit here the entire time and there will be no question period.

The member for Trinity-Spadina.

## EDUCATION FUNDING

**Mr Rosario Marchese (Trinity-Spadina):** I have a question to the Minister of Education. Yesterday the public learned that you're spending education dollars on spin doctors instead of textbooks and special education. Today we learned that the PR firms that got the jobs are very close and generous friends of yours. The spin doctors working for the Hamilton and Toronto supervisors are connected to Enterprise Canada Group Inc, which donated \$29,000 through two companies to the Conservative Party since 1998. More telling, this company donated \$8,000 to your Premier's leadership bid. Let me understand this, Minister: you're willing to steal money from boards that are starving for cash in order to pay lucrative contracts to public relations firms—

**The Speaker (Hon Gary Carr):** The government House leader.

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** Mr Speaker, the member

just accused the government of stealing money. It's got to be out of order.

**The Speaker:** Take your seat. While the member was speaking, one of his own caucus members was up speaking to me, interrupting me. I am not going to speak to members during question period. He was talking about times. I would thank the members to stay in their seats. I'm going to listen very carefully and if members come up and I have to be impolite, I will be. Stay away from the chair during question period. You can come afterwards or come to my office. I cannot do two things at once. I cannot listen to members complaining about the time from a party at the same time the member is up giving a question.

The member for Trinity-Spadina has the floor. I will be listening. I say to all members, you'd better behave in the questions and not cross the line, or I am going to rule them out of order.

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**Mr Marchese:** Minister, let me understand: you're willing to shuck away money from boards of education that are starving for cash in order to pay lucrative contracts to public relations firms so that you can look good?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I'm really quite surprised at the question because the information that I read in the paper not too long ago indicates to me that the member in question in 1985 voted in favour of a massive salary increase, 33%, at the board of education. In 1989, he voted again in favour of an 86% salary increase, and then again raised taxes. This is a member who didn't care about the kids; he cared about his own personal salary.

**Mr Marchese:** All I can say to the minister is that she's a real loser.

**The Speaker:** Order. You have to withdraw that. The member is going to have to withdraw it or go out. He cannot call people losers in this House—

*Interjections.*

**Mr Marchese:** I withdraw, Speaker.

**The Speaker:** —or you're going out.

**Mr Marchese:** I ask a question—

**The Speaker:** Member, I did not hear it through the yelling. I want to hear him say, "I withdraw it."

**Mr Marchese:** I withdraw. I said it.

**The Speaker:** I didn't hear it. While I'm up, I would ask all members to caution about the language in here. It doesn't help anybody. We have school kids who come in here to watch. People being called losers and other names doesn't look good on any of us. I know tempers get up here in this House. It's little wonder people have disrespect for the institution when we're standing up and calling people losers in this House. I would ask all members to think about what they're doing in this institution.

**Mr Marchese:** I'm not surprised, Minister, that you don't answer questions, because you never do. I'm willing to debate that very clearly with you, but to go back to something else other than the question that I

asked you—it's deplorable. Answer the questions I'm asking you.

You are using dollars that should be going to textbooks and special education to play politics, to reward your friends. That's the question: \$8,000 to your Premier's leadership bid and \$29,000 for your party to get propaganda contracts. You've been caught lining the pockets of your friends while kids don't have soap and toilet paper in their schools.

**The Speaker:** The member is going to have to withdraw that. You cannot say that. I ask you to withdraw it or you will be thrown out.

**Mr Marchese:** Withdraw, Speaker.

**The Speaker:** I just caution the member. You can ask questions. You're crossing the line. You're going over it. You're at the line. I would ask you to place your question. Your time's up. You've been over the time now. I'm going to give you some leeway. Please place your question now and please make sure it's parliamentary.

**Mr Marchese:** Will you, Minister, pull the plug immediately on the supervisors and PR consultants and put that money back where the kids really need it? Will you do that?

**Hon Mrs Witmer:** That's exactly what our government has chosen to do. That's why we introduced the funding formula: in order to ensure that the money did not go into salary increases of the type that I mentioned, in order that it would go into the classroom.

I would just hasten to add that the communication advisers have been hired in order that they can communicate the measures that have been undertaken to the parents and keep the local community informed as to what is happening.

## PUBLIC TRANSIT

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Minister of Transportation. My clean air plan is going to give two cents of the gas tax to cities for investment in public transit. By getting people out of their cars and into public transit, my plan's going to clean up our air and fight gridlock. Gridlock, as you will understand, Minister, is strangling the GTA. It's costing the economy billions of dollars, and it's robbing families of precious time together.

I've got a plan to fight gridlock and clean up our air. Minister, where is your plan?

**Hon Norman W. Sterling (Minister of Transportation):** I don't think there's any government in the history of Ontario that has indicated more support for transportation, be it public transit, building new roads or new transit corridors. This government has committed itself to a \$3.25-billion program to improve public transit in this province. We also recently took back GO Transit, saving municipalities some \$100 million each and every year as they go forward, in spite of the fact that they got tax credit for that when we made the changes back in 1997.

I could go on and on about this government's commitment to public transit. There is no other government that

has put forward a promise that this government has, and we're proud of it.

**Mr McGuinty:** Minister, I honestly don't know how you could have said all that with a straight face. I'm not sure any government has ever done less to act as a partner for our municipalities when it comes to supporting public transit.

As for this fantastic \$3-billion promise over the course of the next 10 years, you're never going to come anywhere near to delivering that because we're going to replace the government in about eight months.

Here's the truth, when it comes to your plan for public transit. Four years ago, you told municipalities that they were on their own. They said they couldn't possibly cope on their own. You essentially said, "Tough luck." Now you've gotten back into the field, and it's too little too late. I'm talking about doubling the investment. I'm talking about two cents of the gas tax being transferred to our municipal partners. I'm talking about attacking, in an aggressive way, both gridlock and dirty air. I've got a good plan. I say to you again, Minister, where's yours?

**Hon Mr Sterling:** I don't know how the Leader of the Opposition, talking as a Liberal, can talk about investment in transportation when our federal government, over the past seven years, has given less than 1% of the money that we have invested in our highways and in our public transit infrastructure.

Recently, in our own backyard, we gave the city of Ottawa \$12 million for 57 new buses for the city of Ottawa. We have invested in transit stations with regard to the subway here in Toronto. We have invested \$1 billion in the subway on Sheppard Avenue when the federal government has put in nothing, absolutely nothing.

If you look at all our investments, they would far outstrip the two cents per litre of gasoline that the Leader of the Opposition would like to see. I challenge the federal government to come forward and match the \$3 billion that we are investing in public transit. Get David Collette to put his money where his mouth is.

## LONG-TERM CARE

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** My question today is to the Associate Minister of Health and Long-Term Care. I'm often asked by my constituents in the great riding of Bramalea-Gore-Malton-Springdale about what steps our government is taking to meet the needs of Ontario's growing aging population.

In the last couple of weeks, I've heard members of this House and the media comment on the review and changes to our government's bathing regulations for all long-term-care facilities in Ontario. Minister, for the benefit of my constituents, could you please explain how this regulation has changed and what this means for seniors in long-term-care facilities in our province?

**Hon Dan Newman (Associate Minister of Health and Long-Term Care):** I thank the hard-working member for Bramalea-Gore-Malton-Springdale for his question. I'm proud to say that the commitment of the Ernie



Eves government to meeting the challenges of Ontario's growing aging population is clear and strong. It is clear because we've taken steps such as an unprecedented \$1.2 billion in the expansion of long-term-care beds across our province, and it's strong because this funding represents the largest-ever investment in health services in Ontario's history.

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Yes, we have reviewed the regulations for all long-term-care facilities. On July 31, we announced those changes, along with the largest infusion of funding for nursing and personal care in the province's history, an unprecedented \$100 million. We made these changes because we wanted to ensure that the bathing regulations were clear and that they were consistent, regardless of whether you lived in a municipal home for the aged, a charitable home or a nursing home. I'm pleased to tell this House today that the amended regulation ensures that all residents receive the care they need, when they need it and on a daily basis.

**Mr Gill:** Minister, I know you've been working very hard to fulfill our government's commitment to this important sector, a commitment that will benefit Ontarians in every region of our province, including my constituents.

I was very pleased to hear the minister speak to our government's \$100-million investment in nursing and personal care services in the long-term-care sector, an investment that will mean even better care for residents. Could you please explain how the whole new bathing regulation you discussed will mean better quality of care and personal hygiene for seniors in long-term-care facilities across Ontario?

**Hon Mr Newman:** To put it simply, the new bathing regulation will mean better care and personal hygiene in long-term-care facilities because they recognize the individual needs of each and every long-term-care facility resident. The fact is that while some residents may be mobile, there are others who may be bedridden, and the needs of each resident are different. The new regulation ensures that, regardless of their health condition, their personal hygiene needs are met.

Others agree with what the government has done. In fact, Karen Sullivan, the executive director of the Ontario Long Term Care Association, recently said that her organization thinks the new rules are significantly better, that these new rules are much better than what was in place before.

I'm proud to say in this House today that the change reflects our government's ongoing commitment to ensure the best quality of care for each and every one of the 61,000 residents in all of Ontario's long-term-care facilities.

#### MAGNETIC RESONANCE IMAGING

**Mrs Sandra Pupatello (Windsor West):** My question is for the Minister of Health. Minister, we had an opportunity to ask you questions about the private MRI clinics—is the minister coming?

**The Speaker (Hon Gary Carr):** Would you stop the clock for a minute?

*Interjections.*

**The Speaker:** His books are still here. He may have just stepped out. We'll allow some leeway for the member to start over.

**Mrs Pupatello:** Thank you, Speaker. My question is for the Minister of Health. Last week, we had an opportunity to ask this minister many questions regarding the private MRI clinics that he's intending to introduce in Ontario. Apparently, there is an RFP process that should be available. This announcement was made in the late spring, early summer.

What I have for the minister is a list of 18 hospitals in Ontario that have already submitted their requests, that have already raised the money to have their own MRI machine at the hospital. Minister, I'd like to know today—and please tell all of these 18—why you have not moved forward to approve hospitals that have already raised the money to have an MRI and are just waiting your approval. Why are you moving forward on a private clinic front when 18 hospitals have already raised the money?

**Hon Tony Clement (Minister of Health and Long-Term Care):** If I may say so, nothing could be further from the truth. Indeed, this government, the Ernie Eves government, is not only expanding diagnostics through independent health facilities, but we are expanding the funding for MRIs that already exists in our publicly funded hospitals by 90%. That is in our budget. That is from our throne speech. This is the commitment this government has to publicly funded services being accessible and available.

I say to the honourable member opposite, I beg to differ. Of course we want to support our MRIs in existence, MRIs that we put in place by and large as a government over the last seven years, and of course we will be there in the future to support publicly funded, universally accessible services for greater accessibility closer to home for diagnostic services for the people of Ontario.

**Mrs Pupatello:** Minister, you are on an ideological bent to introduce private MRIs in Ontario even if they don't make sense. Last week at estimates committee, you acknowledged that there is the likelihood that this government will also be giving capital money to private companies for the purchase of their equipment. When this Minister of Health was asked that question, he would not deny it even though it was asked of him.

We'd like you to tell us, without all the semantics of money, if you are in such dire straits to introduce new MRIs into Ontario, to the point of allowing 20 private clinics, why will you not today approve the 18 in Ontario that have already raised the money to have their own MRIs? But this is in the public system; it doesn't make sense. Answer the question: if we need more MRIs, and you've announced 20 privates, why will you not give approval for 18 in the public system that have already raised the money?

**Hon Mr Clement:** Let me state for the record that when the PC government came to power in 1995, there were 12 MRIs throughout the province of Ontario. This year there are 51 MRIs. That was this government—this government. We have a commitment from the Ernie Eves government to increase the amount of time available for these MRIs by 90%. We are there for increased accessibility, increased diagnostics for people, closer to home. That is what this government's policy is all about.

If the honourable member wishes to know where the next MRIs are going to be—I'd be happy to take her advice, just as I take the advice of my caucus colleagues who are representing their constituencies so well to make sure we have in Ontario accessible diagnostics as close to home as possible to end the waiting lists, to end the jam in the system which means that diagnostic services are not where we need them. We are putting our money where our mouth is and we will continue to do so.

### TOURISM

**Mr Steve Gilchrist (Scarborough East):** Right at the end of question period yesterday I asked the lead question to the Minister of Tourism and Recreation regarding a recent article in the *Toronto Star* that had suggested the declining state of tourism spending here in Toronto. I appreciate the minister's first response, but I wanted to take an opportunity to ask a follow-up question because it's just as important to look at the spending on tourism across the rest of Ontario.

Tourism is an integral part of our overall economy. The research I've done says that one out of every 12 jobs in the province is related to this sector.

Post-September 11 the province stood alone in spending \$14 million, as I recall, to make sure that tourism marketing efforts were buttressed and to try to make sure that Americans in particular knew that we were a safe place to visit.

My question to the minister, though, is this: a recent *National Post* article highlighted the inequity in the federal spending that Quebec gets. I want to ask the minister what steps he's taking to make sure Ontario gets its fair share and that tourism all across Ontario is promoted by his ministry.

**Hon Cameron Jackson (Minister of Tourism and Recreation):** We've been waiting for five years to have a meeting with the federal minister of tourism, and Allan Rock picked the city in BC, he picked the day, and then, five days before, he cancelled yet again.

The message we wanted to give to the federal government is that Ontario continues to promote festivals and events, many multicultural in nature.

The member for Scarborough-Rouge River was concerned when we in Ontario gave \$350,000 to Caribana, or the Caribbean cultural festival, and the federal government didn't give a penny—didn't give a penny—to support international relations and multiculturalism. Perhaps the federal government is sending us a message: We get \$4 million; Quebec gets \$24 million—six times more. But they did find \$350,000 for the Just for Laughs

festival in Montreal. So comedians got more money than the Caribbean community in this province.

### NOTICE OF DISSATISFACTION

**Mrs Sandra Pupatello (Windsor West):** Mr Speaker, on a point of order: I'd like to inform the House of my complete dissatisfaction with the response from the Minister of Health. I've submitted the appropriate papers requesting a late show.

**The Speaker (Hon Gary Carr):** I thank the member for that advisement, and make sure that she gets the paperwork done.

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### PETITIONS

#### LONG-TERM CARE

**Mr James J. Bradley (St Catharines):** This petition is to the Legislative Assembly of Ontario.

"Whereas the Eves government has increased the fees paid by seniors and the most vulnerable living in long-term-care facilities by 15% or \$7.02 per diem effective August 1, 2002; and

"Whereas this fee increase will cost seniors and our most vulnerable more than \$200 a month; and

"Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

"Whereas the increase in the government's own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

"Whereas according to the government's own funded study, Ontario ranks last amongst comparable jurisdictions in the amount of time provided to a resident for nursing and personal care; and

"Whereas the long-term-care funding partnership has been based on government accepting the responsibility to fund the care and services that residents need; and

"Whereas government needs to increase long-term-care operating funding by \$750 million over the next three years to raise the level of service for Ontario's long-term-care residents to those in Saskatchewan back in 1999; and

"Whereas this province has been built by seniors who should be able to live out their lives with dignity, respect and in comfort in this province;

"We the undersigned petition the Legislative Assembly of Ontario as follows:

"We demand that Premier Eves reduce his 15% fee increase on seniors and the most vulnerable living in long-term-care facilities and increase provincial government support for nursing and personal care to adequate levels."

I affix my signature as I'm in complete agreement.



## HOME CARE

**Mr David Christopherson (Hamilton West):** I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas the Conservative government has greatly restricted the eligibility criteria for Hamilton home care clients, causing drastic reductions in the amount, duration and quality of services available to frail, sick and elderly people" in our city;

"Whereas home care clients deserve the provision of adequate government funding for home care services as their needs grow increasingly complex in the face of continued government cutbacks to home care;

"Whereas the Conservative government shifted the costs of home care services on to the backs of the most vulnerable people in our communities;

"Whereas home care services are more cost-efficient for the health care system because they are dedicated to serving families in their homes so that more costly institutional care can be prevented or delayed;

"We the undersigned petition the Legislative Assembly of Ontario as follows:

We demand "that the Conservative government review and change the criteria eligibility so that appropriate home care services can be provided to the most vulnerable in our community when the need arises."

I support my constituents in signing this petition and add my name to theirs.

## LONG-TERM CARE

**Mr Rick Bartolucci (Sudbury):** This petition is to the Legislative Assembly of Ontario.

"Whereas the Eves government has increased the fees paid by seniors and the most vulnerable living in long-term-care facilities by 15% or \$7.02 per diem effective August 1, 2002; and

"Whereas this fee increase will cost seniors and our most vulnerable more than \$200 a month; and

"Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

"Whereas the increase in the government's own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

"Whereas according to the government's own funded study, Ontario ranks last amongst comparable jurisdictions in the amount of time provided to a resident for nursing and personal care; and

"Whereas the long-term-care funding partnership has been based on government accepting the responsibility to fund the care and services that residents need; and

"Whereas government needs to increase long-term-care operating funding by \$750 million over the next three years to raise the level of service for Ontario's long-term-care residents to those in Saskatchewan in 1999; and

"Whereas this province has been built by seniors"—let me repeat—"built by seniors who should be able to live

out their lives with dignity, respect and in comfort in this province;

"We the undersigned petition the Legislative Assembly of Ontario as follows:

"We demand that Premier Eves reduce his 15% fee increase on seniors and the most vulnerable living in long-term-care facilities and increase provincial government support for nursing and personal care to adequate levels."

After I sign it, I will give this petition to Kyle, who will bring it to the table.

**Ms Shelley Martel (Nickel Belt):** I'd like to draw to the attention of the assembly petitions that I received this summer with respect to the long-term-care increase. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Conservative government increased fees paid by Ontario seniors and other vulnerable people living in long-term-care facilities by 15%, or \$213 a month, instead of providing adequate government funding for long-term care;

"Whereas the Conservative government has therefore shifted the costs of long-term care on to the backs of the frail elderly and their families;

"Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario;

"Whereas in 1996 Ontario abandoned its minimum requirement of 2.25 hours of nursing care per nursing home resident;

"Whereas the government's own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day;

"Whereas, according to the government's own study, government cutbacks have resulted in Ontario seniors receiving just 14 minutes a day of care from a registered nurse, less than half the time given to residents in Saskatchewan;

"Whereas the report also found that Ontario residents received the least nursing, bathing and general care of nine other comparable locations;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We join the New Democratic Party in demanding the Conservative government eliminate the 15% fee increase for residents of long-term-care facilities, increase the number of nursing care hours for each resident to a minimum of 3.5 hours per day, and provide stable, increased funding to ensure quality care is there for Ontario residents of long-term-care facilities."

This is signed by hundreds of residents, specifically from my riding, and I agree with them.

**Mr David Caplan (Don Valley East):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the Eves government has increased the fees paid by seniors and the most vulnerable living in long-term-care facilities by 15%, or \$7.02 per day, effective August 1, 2002; and

"Whereas this fee increase will cost seniors and our most vulnerable"—and their families, I would add—"more than \$200 per month; and

"Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

"Whereas the increase in the government's own contribution to raise the level of long-term-care services this year is less than \$2 per day; and

"Whereas, according to the government's own funding study, Ontario ranks" dead "last amongst comparable jurisdictions in the amount of time provided to a resident for nursing and personal care; and

"Whereas the long-term-care funding partnership has been based on government accepting the responsibility to fund the care and services that residents need; and

"Whereas the government needs to increase long-term-care operating funding by \$750 million over the next three years to raise the level of service for Ontario's long-term-care residents to those in Saskatchewan in 1999; and

"Whereas this province has been built by seniors, who should be able to live out their lives with dignity, respect and in the comfort"—and, I would say, affordability—"of this province;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that Premier Eves and his government reduce his 15% fee increase on seniors and the most vulnerable living in long-term-care facilities and increase provincial government support for nursing and personal care services to adequate levels."

I agree wholeheartedly with this petition and I have affixed my signature to it.

#### COMPETITIVE ELECTRICITY MARKET

**Mr David Christopherson (Hamilton West):** I have a petition to the Legislature that reads as follows:

"Whereas the Harris government's plan to privatize and deregulate Ontario's electricity system will lead to higher rates because private owners will sell more power to US customers whose rates are typically 50% higher than Ontario's; and

"Whereas selling coal plants like Nanticoke to the private sector will lead to more pollution because the private owners will run the plants at full capacity to earn full profit; and

"Whereas electricity deregulation in California has led to sky-high rates and blackouts; and

"Whereas Ontario needs a system of public power that will ensure rate stability, environmental protection and secure access to power;

"Therefore, be it resolved that the undersigned call on the government to scrap electricity deregulation and privatization and bring in a system of accountable public power. The first priority for such a public power system must be incentives for energy conservation and green power. Electricity rates and major energy projects must be subject to full public hearings and binding rulings by a public regulator instead of leaving energy rates to private profit."

I support these constituents and I also add my name to the petition.

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#### LONG-TERM CARE

**Mr John C. Cleary (Stormont-Dundas-Charlottenburgh):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the Eves government has increased the fees paid by seniors, the most vulnerable living in long-term care facilities, by 15% over the last three years, \$3.02 per diem in the first year and \$2 in the second year and \$2 in the third year, effective September 1, 2002;

"Whereas this increase will cost seniors and our most vulnerable more than \$200 a month after three years;

"Whereas this increase is above the rent increase guidelines for tenants in the province of Ontario for 2002;

"Whereas, according to the government's own funded study, Ontario will rank last among comparable jurisdictions in the amount of time provided to a resident for nursing and personal care;

"Whereas the long-term-care funding partnership has been based on government accepting the responsibility to fund the care and services that residents need;

"Whereas government needs to increase long-term-care operating funding by \$750 million over the next three years" to raise the level of care in Ontario to the same as Saskatchewan in 1999; and

"Whereas this province has been built by seniors ... who should be able to live out their lives with dignity;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that Premier Eves reduce the 15% increase over three years in accommodation costs to no more than the cost-of-living increase annually and the provincial government provide adequate funding for nursing and personal care to a level that is at least the average standard for nursing and personal care" in the other jurisdictions.

I've also signed the petition.

#### ONTARIO DISABILITY SUPPORT PROGRAM

**Ms Caroline Di Cocco (Sarnia-Lambton):** This petition is regarding the Ontario disability support program.

"To the Legislative Assembly of Ontario:

"Whereas people with disabilities who rely on Ontario disability support program payments are facing rising costs; and

"Whereas people unable to work because of serious disabilities have had no increase in support since 1995; and

"Whereas with loss of rent controls their rents have skyrocketed, placing huge financial strains on many ODSP recipients;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to bring fairness to the Ontario



Disability Support Program Act, 1997, by amending it to provide regulations requiring annual cost-of-living adjustments to income support payments.”

I affix my signature to this petition.

### LONG-TERM CARE

**Mr David Christopherson (Hamilton West):** A petition to the Legislative Assembly of Ontario:

“Whereas the Conservative government increased fees paid by Ontario seniors and other vulnerable people living in long-term-care facilities by 15%, or \$213 a month, instead of providing adequate government funding for long-term care; and

“Whereas the Conservative government has therefore shifted the cost of long-term care on to the backs of the frail elderly and their families; and

“Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

“Whereas in 1996 Ontario abandoned its minimum requirement of 2.25 hours of nursing care per nursing home resident; and

“Whereas the government’s own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

“Whereas according to the government’s own study, government cutbacks have resulted in Ontario seniors receiving just 14 minutes a day of care from a registered nurse—less than half the time given to residents in Saskatchewan; and

“Whereas the report also found that Ontario residents receive the least nursing, bathing and general care of nine other comparable locations;

“Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“Join the Ontario New Democratic Party in demanding the Conservative government eliminate the 15% fee increase for residents of long-term-care facilities, increase the number of nursing care hours for each resident to a minimum of three and a half hours per day, and provide stable, increased funding to ensure quality care is there for Ontario residents of long-term-care facilities.”

As I’m in support, I also sign this petition.

### ORDERS OF THE DAY

#### INTERJURISDICTIONAL SUPPORT ORDERS ACT, 2002

LOI DE 2002

#### SUR LES ORDONNANCES ALIMENTAIRES D’EXÉCUTION RÉCIPROQUE

Resuming the debate adjourned on September 23, 2002, on the motion for second reading of Bill 131, An

Act to facilitate the making, recognition and variation of interjurisdictional support orders / *Projet de loi 131, Loi visant à faciliter le prononcé, la reconnaissance et la modification des ordonnances alimentaires d’exécution réciproque.*

**The Speaker (Hon Gary Carr):** Just before we start the debate, pursuant to standing order 37(a), the member for Windsor West, as she advised us, has given notice of her dissatisfaction with the answer to the question given by the Minister of Health concerning MRIs. This matter will be debated today at 6 pm.

Debate? The member for Simcoe-Barrie-Bradford.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I am pleased to join in the debate with respect to Bill 131, An Act to facilitate the making, recognition and variation of interjurisdictional support orders. It is with great pleasure that I speak today. The legislation is further proof of our government’s commitment to protecting Ontario’s children.

The Interjurisdictional Support Orders Act will make it easier and less costly for families to register, establish and vary support orders when parents live in different jurisdictions. As you know, there are different jurisdictional laws with respect to this type of situation in terms of family law across each and every province.

These changes will also affect spousal support. We want to ensure that children and families get the money to which they are entitled. We believe that no child should ever go without simply because one parent has left that province.

This legislation, if passed, would streamline the process for obtaining or varying an interjurisdictional support order. For example, the current complex two-stage hearing process would be replaced with a single hearing process. Under a single hearing process, persons seeking to establish or vary a support order would complete the application package, which would be sent to the reciprocating jurisdiction for support determination. This means that a hearing would only need to be held in the receiving jurisdiction, with it no longer being necessary for the court in the originating jurisdiction to hold a provisional hearing as currently required.

We believe that simplifying the process makes sense for the families involved. The proposed act would recognize the challenges presented by an increasingly mobile population by allowing for greater coordination among the provinces and the territories.

Our proposed bill would affect thousands of families and children. At any given time, there are over 7,000 Ontario support orders being enforced in other jurisdictions, and that’s an astounding figure. In addition, Ontario enforces over 5,000 support orders from other jurisdictions. The proposed legislation would replace the Reciprocal Enforcement of Support Orders Act, which governs support cases where one party lives outside of Ontario.

Under the current legislation, Ontario has arrangements with all the other Canadian provinces, all US states, and many other countries to register, establish and

vary support orders when the parties are living in a different jurisdiction. Those agreements will continue under the proposed legislation.

Finding more and better ways to protect our children was a topic of discussion for provincial leaders at the 2001 annual Premiers' conference in Victoria, BC. They recognized the importance of acting together to help secure healthy and prosperous futures for our children. To that end, the Premiers committed to introduce effective reciprocal family support orders legislation in all provinces and territories.

1520

Premier Eves reiterated his commitment to this legislation at the annual Premiers' conference in Halifax, Nova Scotia, this summer. Ontario and other provinces are doing their part to help children and families obtain or vary support orders in the most streamlined and least costly manner possible. It is now up to the federal government to do its part.

Our government had urged Ottawa to enact parallel legislation by amending the federal Divorce Act by the summer of 2002, but the federal government has yet to move on this issue. This measure would streamline the process for establishing or changing support orders issued under federal rather than provincial law. It is important for governments to work together to ensure healthy and prosperous futures for our children.

One must also understand the jurisdictional issues with respect to the breakup of a family in this country through our constitutional powers wherein the federal government has jurisdiction with respect to divorce and custody orders arising out of that and the provincial governments have jurisdiction with respect to dealing with property matters arising from a family dissolution.

The commitment to introduce uniform family support orders legislation was just one piece of a multi-pronged child protection agenda agreed to by the Premiers at their August 2001 meeting. Provincial leaders also called on the federal government to follow Ontario's lead and establish a national sex offender registry for the sole use of the police. The Premiers believe that the establishment of a national sex offender registry is required so that all Canadians know they can live in secure communities where children's safety is a high priority.

I think all of us have been affected during the last summer with respect to the number of child abductions that occurred, especially in the United States, some in very difficult to accept situations purely in terms of child abuse and other situations where the child was abducted and was part of a situation involving a family dissolution. Certainly we saw both types of situation occur in California, and the measures the police have put in force with respect to dealing with child abductions are being looked at in this province at the municipal level and through our police forces. It is a very difficult issue, and that's apart from dealing with family support orders and sex offenders and basically dealing with the abduction of children in the situation and having what you want as a quick response to deal with that situation through our police forces and coordinated agencies.

Something was going on in terms of greater awareness of children missing and children being abducted. The media were playing a much greater role during this past summer than I think I've witnessed in a long time. It really is a sad commentary on what's happening out there with respect to our young children and the protection they need.

In February this year, after much pressure from our government and others, the federal government agreed to implement some of the key features of the Ontario sex offender registry. The government of this province is now calling on the federal government to move on this commitment and introduce legislation to implement a national registry. When we talk about a mobile population and the technology that is out there with respect to how people communicate with each other, certainly that's something that could be done very easily in terms of dealing with the protection nationally of children: set up a process in which we can work together from province to province and with the federal government.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: I may be wrong and you'll tell me, but I believe that the rules indicate that you're supposed to speak to the matter that's been called—in this instance, Bill 131. The speaker seems grossly off-topic, and I believe that's out of order.

**The Acting Speaker (Mr Michael A. Brown):** That is of course a point of order, and I'm sure the member for Barrie-Simcoe-Bradford will relate his comments to the subject at hand.

**Mr Tascona:** I'm trying to look at the big picture. I'm looking at children in general in terms of this difficult situation. I can understand the member from Thorold-Welland maybe having a little difficulty grasping that, but I'll continue to deal with this issue.

At the 2001 meeting, provincial leaders also called upon the federal government to help stop Internet luring of children and youth prostitution. That's something we also were made very aware of this past summer. Ontario believes that swift action is required to shut down child pornography Web sites and stop cyber predators who use the Internet to lure children. I think we've heard of some very serious situations this past year with respect to that type of activity. We're pleased that the federal government recently passed legislation to make luring of children through the Internet a criminal offence.

On the issue of youth prostitution, our government has recently passed legislation that would rescue children from prostitution and other forms of sexual exploitation.

That's the big picture in terms of dealing with children. Obviously, if we don't have a system in place with respect to support orders being enforced, it puts a family that has been broken up in a very difficult situation. It puts pressure not only on the parent who has remained with the children, but also pressure on the children themselves in terms of the framework they have to deal with in terms of, in certain situations, limited economic means.

The Rescuing Children from Sexual Exploitation Act permits police and children's aid workers to remove



children from a range of dangerous situations, including street prostitution, massage parlours, adult entertainment facilities, Internet sex lines and the pornography industry. This legislation will also allow the province to sue pimps and others who sexually exploit children to recover the costs of treating their victims. This is yet another case where we had developed legislation that keeps pace with the changing times.

Protecting Ontario children, all Ontario children, is a priority of this government. The proposed legislation being debated today will further protect Ontario's children, and that's what's important: making sure that we can work in as non-partisan a way as possible to deal with the protection of Ontario's children. It will help ensure that they have the best and the brightest future possible.

The act which I have been speaking to and the other measures with respect to protecting children are a serious issue. It's not something that is in a vacuum; it's something we deal with day to day. We have a lot of success stories and we have a lot of horror stories in terms of different means that are used to get at children.

One of the most fundamental things is, when you bring a child into this world, it certainly is a responsibility when you're dealing with two individuals that they're going to raise that child in a responsible manner. Where one of the individuals leaves that family and puts the family that they've left behind in economic straits—and everybody knows that's out there. It's a very difficult situation where they've left the province, they've left the country. How do you enforce those orders? The order is in place. The system works with respect to getting the order. It's understandable in terms of what the process is, in terms of the court process, in terms of getting that order and what's needed for that family. That's already been predetermined.

1530

Then we get into the issue of enforcement, and that is a very challenging issue. We have to simplify the process. We have to make it more expeditious. We have to make it more timely in terms of dealing with this type of situation, because what we're talking about here is an order of the court. It's a court order that the individual who is trying to evade it—even if they don't want to pay it, they've got a court order that they have to respond to, and they decide to leave the jurisdiction to make it difficult for that order to be enforced.

What happens in the interim is, it's the family that was left behind that is facing a situation where there was an expectation, a trust in the court system that they would be protected, and that doesn't happen. So what happens is a situation where a family has significant pressures on them, not only economic but social, and we have to, as a society, be there to assist them. But at the end of the day, the integrity of the court system with respect to what a support order means has to be enforced. Otherwise it is just a meaningless process. To leave the province, to leave the country, evading an order of the court, is something we have to be very, very aware of in terms of how

we're going to react. I think the Attorney General has moved in that direction and in terms of enforcement, making sure that these interjurisdictional support orders—because it may be that the individual did not leave the province for any reason other than to find other work; maybe not to evade that particular order. By the same token, that individual, because of the court order, has certain responsibilities, certain obligations that have to be met. The family that is left behind is put in a very difficult situation in trying to enforce that in terms of the time lag that is left behind.

This piece of legislation is, quite frankly, very complex. It's not an easy situation to go into other jurisdictions that have different laws and to get them to respect the order that was put in that province. The numbers that I indicated today—7,000 orders that we're looking to have enforced in other provinces, 5,000 orders that are being sought to be enforced in this province—are very significant numbers. Those are significant numbers that require a lot of court time, a lot of effort and certainly a streamlining of the process, which is being proposed here.

It's something that has to be done, because if you're dealing with support and the social network that we want to have in place, if the families were expecting that type of support and it has no effect because someone has left the jurisdiction, or the time lag that goes in there in terms of the amount of money—and we've read it in the newspaper, where you've seen figures in excess of six figures, where the arrears of those support orders are staggering. You wonder how the families can cope with that, in terms of the expectation that they felt they would be, not necessarily what we call "looked after," but they could trust the court system to be relied on in dealing with a very difficult situation, which is a family breakup, and the responsibilities that they have to deal with on a day-to-day basis. They have to live day to day. They have to deal with the situation they've been dealt.

The integrity of the court system in this province, let alone in all the provinces and that of the federal government—when you're dealing with either a divorce or a separation or dealing with a situation where there's an agreement reached out of court that now has to be enforced through the court system because that support is not there.

So you're looking at some very challenging situations here. Obviously, the system needs to be addressed because of what we have before us here today. The intention is to make the process more streamlined, to make sure it works and to make sure the provinces and other countries are a part of the process and that they understand it. It can be very difficult for the practising lawyer who is trying to deal with another jurisdiction, or you have to get a lawyer from another jurisdiction to look into that situation to get through a lot of the red tape to understand how that particular state, if it's in the United States, or that other province, works. They all have their own unique systems.

What we're looking at here is to say, "OK, we have an order from Ontario; we want that enforced here"—it's

very simple—and for the judge to say, “OK, I have the jurisdiction to do this,” bang, and it’s all over with in terms of making sure that order gets enforced in that particular province and they locate that individual and they make sure that person pays. That’s not an easy process because you never know if the person decides they’re going to leave that province and go to another province. It just becomes a game of cat and mouse in some circumstances; in others, it’s just a basic situation where they’re found and they have to make their payments.

I’m pleased to speak on this bill and I certainly hope it would be supported in a non-partisan fashion in the House.

**The Acting Speaker:** Questions and comments?

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I did appreciate the member’s comments about the importance of the exploitation-of-children act. I certainly agree with that. That legislation was first presented in a private member’s legislation by my colleague from Sudbury and we were very pleased to see the government bring it forward so that it could in fact be passed last spring.

We were hoping that Bill 131, the Interjurisdictional Support Orders Act, which was also on the agenda last spring, might have been brought forward by government in a timely way so that it too could have been passed, so that the support it now offers to children, or will offer when it’s passed, would have been in place for the summer period. If the government had been able to get its act together on its legislative agenda last spring, we might not be having to spend the days debating something now which we all know to be supportive of children and families.

As we offer our support for this particular piece of legislation, I would hope that the government members are not intending to spend the debate period patting themselves on the back for the kind of support they’re providing to families and children who are trying to see court support orders enforced. This is the exact same government that has made such a mess of family support order enforcement, that continues to be unable to see enforcement of court support orders, that it would be impossible for this government to think they were taking anything but a small step with Bill 131.

The auditor who reviewed this file said the government had nothing in place to enforce court support orders when it shut down the regional offices that were doing a very adequate job of ensuring that support orders were being enforced. The auditor said the government had nothing in place to do that. Three years later he reviewed the file and said they still don’t have their act together when it comes to having real enforcement for court support orders.

My office, and I’m sure it’s true for every member here, spends more time helping families get court orders enforced than on any other issue. It’s time for the government to get its act together on family support on the large scale.

**Mr Kormos:** It’s been almost a year since I spoke to this bill. It was on first reading, November 8, 2001; that’s

almost 12 months ago now. I indicated then on behalf of this caucus that the legislation was in the largest part inoffensive and should receive due consideration by this assembly and should be subjected to the committee process.

This government dawdled, dragged its feet, puttered around—I’m being very careful because the Speaker earlier today admonished members of this assembly about the kind of language they used, so I’ll leave it at merely “puttered around”—and finally we have second reading. Well, good. Let’s carry on with this debate and let’s get this bill out to committee so people from the family bar can assist this assembly in fine-tuning and tweaking and making improvements where the bill should be improved, based on their day-to-day practical experience.

1540

But the government’s missing the mark. The urgency isn’t here. The urgency is in access to the courts. The urgency is in access to legal representation to lawyers because of the ongoing trashing of legal aid that this government has engaged in since 1995. The fact is—and I’m going to speak to this in about an hour’s time—most Family Court litigants can’t get legal counsel because the cap on legal aid certificates makes it impossible for any responsible lawyer to adequately and properly represent that person, inevitably women with children.

So we’ve got to talk about the Family Responsibility Office, which now, six years later, has still not been fixed, leaving women and kids hungry and without the support payments due them. We’ll be talking about that in due course.

**Mrs Marie Bountrogianni (Hamilton Mountain):** I’m pleased to support this bill, but like my colleagues before me I’m wondering why it’s so long overdue. This should have been instituted a long time ago.

The largest number of calls I get in my office are about housing and FRO, quite often from the same constituents, because obviously these issues are related. When you don’t have money from your former spouse, you have trouble paying a reasonable rent for a reasonable apartment.

My concern here is enforcement, as the member just mentioned. Is this going to be another Brian’s Law, where on paper it looks great, but if you don’t have the resources to enforce it, if you don’t have the mental health services out there for people you can report who need the help, nothing happens? That’s my concern with this as well.

I was speaking to our critic for community and social services, and she brought up a good point in our discussion: first, we should be cleaning up Ontario and then looking at other jurisdictions. We have people right here in the province whom we can’t track down or have trouble tracking down and, once we do, forcing them to fulfill their responsibility as former spouses and as parents. We pay for that. We pay for that in years and years to come when these kids don’t have the very basic needs: good food, being able to go on a school trip—very basic needs.



The stress it causes the parents also increases the possibility and the probability of abuse in the family. I am never, ever going to defend any parent for abusing their child, but it is a fact that the more stress in the family, the more you increase the possibility of child abuse. So there are links here.

We will support this bill, of course. We think it's long overdue. We think there should be enforcements in place so that it doesn't just look pretty on paper but does nothing out there in the real world.

**Mr Bert Johnson (Perth-Middlesex):** I wanted to take this opportunity to express a few comments, particularly to the member for Barrie-Simcoe-Bradford, who has a particularly effective way of putting across his points. He makes them very clearly and very sincerely, and it's very gratifying to hear him put forth our government's proposal on this very effective and very worthwhile bill.

I wanted to compliment, more than go off on any extraneous comments, like some others may have, about other policies and other things that have been done, both by this government recently and their governments in the past. I think it's a very worthwhile bill. It will put our Ontario laws in conformance with those of other provinces. It'll make it a lot easier. One of the other members mentioned the problems some families have in coming up with resources and money for legal counsel and so on. This will rectify that by making it less costly and more effective to get into the system that gets them the benefits and the results they deserve. It will help that.

I think anything we do of that nature is very worthwhile, and I just wanted to commend the member for Barrie-Simcoe-Bradford for the way he put across the points and spoke to the bill and made those suggestions on how we should move forward and get this piece of legislation voted on and passed.

**The Acting Speaker: Response?**

**Mr Tascona:** I'm certainly pleased to respond to the comments made by the members from Thunder Bay-Atikokan, Niagara Centre, Hamilton Mountain and Perth-Middlesex. There seems to be a consensus that they support the legislation in a non-partisan way, and that is good.

This is a national problem requiring national attention. The federal government is not listening with respect to dealing with this issue. As I stated earlier, we've urged Ottawa to enact parallel legislation by amending the federal Divorce Act, but the federal government has yet to move on the issue. They're responsible for divorce, the breakup of the marriage, the custody orders that follow, and support. They have done nothing to deal with this process, to streamline it and to get support orders issued under federal jurisdiction enforced.

That is the issue. It's one thing to go to court and get yourself an order, be it through a divorce proceeding, be it through support, with respect to family matters through the provincial jurisdiction. It's another thing to enforce it. When you're dealing with a mobile population and with people who are in other provinces—as I indicated earlier,

there are 7,000 orders that we're looking to get enforced in other jurisdictions, other provinces across this country, and 5,000 orders from other provinces to be enforced here—it's a national problem requiring national attention. The federal government has chosen not to treat this as a priority issue. They have jurisdiction with respect to dealing with divorce and the orders that follow through there. So it is a difficult problem. It requires enforcement, and that's what we're doing.

**The Acting Speaker: Further debate?**

**Mr Michael Bryant (St Paul's):** I'm happy to rise on behalf of the official opposition to express our support for this bill.

The process that led to this bill is one that has really been underway for many years. It commenced in the 1980s under the leadership of one of my legislative heroes, Ian Scott, and others.

We have a federalist system, so obviously, on paper, it might be difficult to get a court order in one province enforced in another. We live in an increasingly global world, making the importance of ensuring reciprocity even greater. The principle of reciprocity, legislated in the name of achieving and enforcing justice for the protection of victims of deadbeat dads and deadbeat spouses, is one which obviously has the support of Dalton McGuinty and the Ontario Liberals. Justice delayed, as they say, is justice denied. Having these support orders without the ability to enforce them makes the right to such spousal support, without a remedy, useless. This bill seeks to achieve reciprocity in that regard.

We're pleased that the bill is now before the House. It is a bill that was first introduced in November. The province of Manitoba, among others, has similar legislation before their House. It has passed in the province of Manitoba. The time has come to pass it here in Ontario.

Some important work must be done, obviously, in committee to deal with the details in this bill. All bills, I think, are subject to that observation, but this bill more than ever. We need to hear from the experts to ensure that there are no loopholes for deadbeat dads and deadbeat spouses to jump through.

I'd like to think this bill is currently before this House also in part because of the efforts of members of this House who have tried to hold this government to account when it comes to the output, or lack thereof, of the Family Responsibility Office. I've spoken about the subject of the Family Responsibility Office and deadbeat dads at length in the past, and will continue to do so. I know that my colleagues—and I'll be sharing my time with the members for York South-Weston, Kingston and the Islands and Windsor West in just a moment—will be speaking to that as well. But, in a nutshell, it goes without saying that having 75% of the cases before the Family Responsibility Office unsolved does not exactly represent a crackdown on deadbeat dads, which means that the promise made by the Harris government in 1995 and 1999 that there would be such a crackdown turned out to be a promise broken.

1550

Perhaps to some extent this bill is before this House as a result of that criticism in an effort to hold the government to account, and that would be a good thing. As I said, it's also before this House as part of an effort undertaken by all provinces to try to ensure that we have reciprocity of these orders.

I do look forward to exploring this bill in greater detail before committee. I also look forward to seeing other justice bills promised by Attorneys General present and past from this government on matters of access to justice. I look forward to debating issues with respect to legal aid. Reference has been made to it by Mr Kormos. I look forward to working with the Attorney General in the coming days and weeks in addressing the very important issue of access to justice under the specific subject of contingency fees.

The time has come—the Court of Appeal for Ontario has said, as has the bar, as now has the bench—to legalize and regulate contingency fees in Ontario so that our brutally accessible justice system receives access to all, or to more, so that what is now the practice of many counsels in Ontario is in fact regulated and that we join the rest of the provinces in legalizing and regulating this.

I look forward to this debate in the future and to discussing as much with the Attorney General. For now we are going to deal with the bill before us. I'll be sharing my time with the members already mentioned.

**Mr Joseph Cordiano (York South-Weston):** I just want to comment very briefly on Bill 131. As my colleague before me has suggested, we will support this piece of legislation. We believe, to reinforce what he has said already, that achieving reciprocity with other jurisdictions is important. Again, it's a question of the lack of enforced orders that we're dealing with. Enforcement is a theme that runs throughout this issue and has for many years. The resources are simply not there to make certain that there is enforcement.

I would suggest this is a theme that runs through most of what this government does: the lack of enforcement, lack of inspection, whether it's dealing with the environment, and we've seen the outcome of that, or whether it's dealing with other very important matters. The whole question of accountability was mentioned as well when it comes to dealing with the government's laying before the public what it's supposed to know and being transparent about what it is doing with very important areas. The Family Responsibility Office is an area of concern that the opposition has raised repeatedly. So in order to ensure that there is accountability, the government has to dedicate greater resources.

An area I am very concerned about now has to do with SuperBuild. There the government is failing to provide the accountability that's necessary and failing to make proper disclosure. We're seeing this happen repeatedly with the government on a number of fronts. It's because this government has cut back so drastically on these matters. We have a lack of inspectors in so many areas, and a lack of enforcement means just that: there isn't

anyone in the field who is available to make certain that all of these things we put in statutes are lived up to, that in fact there is payment made, that someone is following up on this, that there is restitution.

The facts have been laid before us: 75% of cases in Ontario are in arrears. That's a huge amount of money. It amounts to \$1.2 billion that is still in arrears. It goes without saying that we can't suggest we've solved these problems by any stretch of the imagination.

This bill will go some way toward achieving that. But again it's a question of what this government has proposed on the books and then what it fails to do by not providing the necessary resources to ensure there is follow-up and enforcement.

This is a theme we're encountering on all fronts when it comes to this government's handling of very important issues such as the Family Responsibility Office. I would simply say to the government that they have a long way to go to make certain there are the necessary resources to make what's on paper—what's in statutes—work properly.

**Mr John Gerretsen (Kingston and the Islands):** I'm very pleased to speak on this bill, and I hope the House will sit tonight until at least 6 o'clock. Yesterday we started off on a rather unusual note by having adjournment at 4 o'clock in the afternoon when in actual fact we've been away from this place for some six months. You would have thought the government would bring forward some business to deal with the actual problems people are facing on a day-to-day basis, whether we're talking about issues of health care, energy costs—we could go on and on.

**Hon Cameron Jackson (Minister of Tourism and Recreation):** On a point of order, Mr Speaker: in accordance with the House rules, it is clear that was by mutual agreement of all three parties. If the member was not informed by his own caucus—

**The Acting Speaker:** That is not a point of order. The member for Kingston and the Islands.

**Mr Gerretsen:** It's kind of interesting that we gave you people the right to talk about what you wanted to talk about. Please give the opposition at least the right to talk about the issues we feel are important.

On this particular bill, let me just say this is a good bill. The real issue again is, why wasn't this bill passed before the last session? It could have been passed about six months ago. As a matter of fact, it could have been passed about 15 years ago, because the issues that are addressed in this bill, dealing with the ability to enforce support orders in other jurisdictions, are extremely important to dozens and dozens of Ontarians who rely on the support that has been ordered to be paid in Ontario. Where the defaulting party now lives somewhere else in Canada or in the United States, until now it was almost impossible for the women and children who rely on those support payments to get any enforcement done in those other jurisdictions.

I know of what I speak. At one time I was privileged to practise a fair amount of family law and, as a practis-



ing lawyer, I know that the moment somebody left the jurisdiction, left the province, it was extremely difficult, from a practical viewpoint, from a financial viewpoint, from just about any aspect you can look at, to get that order enforced, to get those support payments for those individuals, primarily women and children, who relied on that support.

We agree with this bill. But what's interesting is that we're not only dealing with those individuals who are relying on the support of former spouses or present spouses who have gone to other jurisdictions, so they can look after their children in a proper way; also important are the people who are still in Ontario who rely on the support payments.

When you look at the Family Responsibility Office, the auditor did a report on this in the year 2000. Then the standing committee on public accounts, which I'm privileged to chair, did a report on it as well and made a number of recommendations. Unfortunately, although the recommendations were accepted and approved by this House when the report was tabled, the recommendations themselves have never been addressed in the House. So I wanted to take some time today to deal with the specific recommendations and ask the minister involved to ask the Attorney General whether or not the recommendations that the public accounts committee came up with and that were endorsed by the House, I believe unanimously, have actually been implemented by his ministry.

1600

One of the things the auditor found out, and this was some two years ago, was that 128,000 of the 170,000 registered cases were in arrears as of March 21, 1999. In other words, almost 75% of all the support orders that were registered with the Family Responsibility Office—it is now mandatory to be done that way and has been for the last five or six years—were in arrears. The women and children who were relying on those support payments, from the other spouse or ex-spouse etc were not getting that money, although they had been ordered to get that money by the courts in question.

That is a stunning indictment. Just think about it. In 128,000 cases, the families of Ontario—I don't know how many people it would have affected, but let's say probably close to 600,000 or 700,000 people were directly affected by the fact that those orders were in arrears. The real issue is, what did the Family Responsibility Office do in order to make sure the orders that were awarded in those cases were actually paid so that the women and children could live on that money?

The total amount that was in arrears—in other words, if you added up all of the arrears of the 128,000 cases that were in arrears—amounted to \$1.2 billion. So \$1.2 billion to which the spouses and the children were legally entitled was not being paid over to the individuals who had the support orders.

The auditor was very concerned about it. The committee was very concerned about it. As a matter of fact, the auditor noted that when the payers went into arrears, the Family Responsibility Office did not have a satis-

factory system of initiating contact and taking the appropriate enforcement action.

Although the present bill that is before us deals with those situations where the payer has left the jurisdiction—and in those cases we can go after the payer as a result of this bill, once it is passed and once it has been given royal assent, in a much faster way than is presently the case, because presently it's almost impossible to enforce those situations—in all those other cases, namely the 128,000 cases, it's the Family Responsibility Office that primarily acts in that same enforcement role, or should act in the same enforcement role, as we're now asking to be done in this bill on sort of an international or at least an interprovincial basis.

The auditor was quite clear in his comments. He basically said that the Family Responsibility Office did not have the mechanisms and a satisfactory system of, first of all, initiating contact, and of taking the appropriate enforcement action. That's the issue. The question for the Attorney General and for the department really becomes, what has been done with respect to the recommendations of the public accounts committee, endorsed by this House, that specifically deal with that problem, that specifically deal with that issue?

I might also note that there were some other comments the auditor made at that time as well. He stated, for example, and I'm quoting him directly from his report, that "more aggressive enforcement alternatives, such as driver's licence or passport suspension, bank account garnishment or a default hearing, were seldom pursued." In other words, the Family Responsibility Office had those enforcement mechanisms within its legislation. It had the powers to do so, but at least up until 1999 they were seldom used.

I suppose the real question and issue is that even if we pass this bill, what guarantees do the women and children who rely on the money that is the subject of these orders have that in fact the powers that are laid out in this act will be effectively employed, particularly since we are not currently doing it in situations to the level of satisfaction of the Provincial Auditor?

We all know that the Provincial Auditor is an independent officer of this body. He's not a government employee; he doesn't work for the opposition. He's an officer of the Legislative Assembly. He looks into the various ministerial budgets and expenditures etc to make sure expenditures are done in a proper, value-for-money fashion. He came to the conclusion, when he did his report back in the year 2000, that the office did not operate efficiently in order to see that those enforcement mechanisms were actually used.

He also went on to say that the Family Responsibility Office failed to collect interest on money owing to families. That's a very interesting observation. When you figure that 128,000 of the 170,000 cases, almost 75% of all the cases at the Family Responsibility Office, are in arrears and then find out that no interest is being charged on the arrears, or at least that it wasn't being corrected by the Family Responsibility Office, that in effect is work-

ing to the detriment of the families that rely on that money. Presumably those families had to do a number of different things, and one of them is probably that they are heavily in debt that they're paying interest on because of support payments that aren't being made. So it begs the question, why isn't the Family Responsibility Office doing that? Why weren't they charging interest on these outstanding accounts?

Of course, a lot of it has to do with the fact that in order to enforce this particular law, or in order to enforce any law, you need enforcement personnel to do that. We can make laws about every good cause and every subject, dealing with every ill of society that we want. But if we don't enforce them, the laws are meaningless. What he found in his 1999 report is that although the caseload had increased by 35%, staff levels had been reduced since 1997 and basically have remained at the 1994 level. In other words, you had the same number of staff, or even less than that. And I won't talk right now about the fact that at one time, you may recall, we had regional offices, and then the offices were centralized, which made it a lot tougher for individuals to actually get the office to do something on it. It's much easier to deal with an office that's located in the town where you are than, let's say, in Ottawa—in the case of Kingston, there's an office in Ottawa—or deal with the main office here in Toronto. But the bottom line is this: the caseloads went up, the number of cases that come through the system went up by 35%, and nothing was done with respect to the staffing levels. And initially, you may recall, back in 1997 the staff levels were even severely reduced.

So it all comes back to the same issue; that is, if you want to have a law that is effective, you've got to enforce that law. And the only way you can enforce the law is by having enough employees to have a manageable caseload so that they can look after the cases that are within their jurisdiction and so that the kinds of issues the auditor reported in his report as being deficiencies within the Family Responsibility Office would not occur.

Anyway, what the auditor normally does after he does his report and the committee takes a look at it and writes its own report and makes its recommendations, is that two years later, on the basis of the auditor's report and the committee's report, he goes back and does a follow-up study.

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So, what in effect did he find in his report in the year 2001, in the follow-up study? I again will quote directly from his report, in which he states the following: "We concluded that continuing action was required to implement most of our recommendations." In other words they had not as yet been implemented, at least not in their entirety, by the year 2001, two years later, and for some recommendations the office had not taken substantive actions at all.

I won't go so far as to say that the department or the ministry ignored the recommendations of the auditor or ignored the recommendations of the committee or ignored the report that was adopted by the House, but it's

certainly fair to say that they weren't adopted in their entirety or that in some situations no substantive action was taken at all.

I just spoke briefly about the lack of human resources to look after the caseload. But one of the main issues was that the computer system there was antiquated. The committee back in 2000 made a number of recommendations on upgrading the computer system, and the auditor found in the year 2001 that efforts to improve the computer system's performance had met with limited success.

What it all boils down to is that if we have laws and we want to make those laws meaningful, whether we're talking about the Family Responsibility Office, whether we're talking about interjurisdictional support orders, mechanisms whereby they're enforced in other jurisdictions etc., all those laws don't mean anything unless we have enough people involved in enforcement to make sure it happens. This isn't the only area where I think the government has been extremely vulnerable. There have been so many other areas as well where laws have been passed to make it look good, to make it look as if something is happening, and when you get right down to it, really nothing has happened.

For example, do you remember the squeegee bill? It would be interesting to find out, after the government took that rather drastic step of dealing with all the squeegee kids, mainly in Toronto, how many kids, and some of them weren't kids, I suppose, were ever actually charged with anything. I would hazard a guess that you could probably count them on the fingers of one hand, if any.

I challenge the Attorney General. It should be an easy statistic to come up with. Maybe the chief government whip—by the way, I'd like to congratulate you on your elevation to this high office. He's in the House now and he's listening to the debate and I'm very glad to hear that. Normally he's got something to say as well, but I guess as chief government whip he now has been silenced. He can only direct traffic but he can't say anything anymore.

It would be interesting to know, and maybe he could find out that information, how many charges and how many convictions have been laid and have been obtained under that famous squeegee act. We could go on with example after example, but the bottom line—oh, and there's the police commissioner too; not the police commissioner but the crime commissioner. We look forward to your next report, but take off those trench coats. They are way too small. They don't look very good on the report.

**Mrs Sandra Pupatello (Windsor West):** He's a flasher.

**Mr Gerretsen:** No, no. My colleague says that he's a flasher. I would never say that about him, but at least get a trench coat that fits. Anyway, we won't get into that. We've got many more important issues to talk about.

What I am speaking about right now is simply this: it is very important, when a government, whether at this level, at the federal level or at the municipal level, passes



a law, that it enforces it, and within that law that it puts in the resources to make sure it is enforced. It is great to give other jurisdictions the power, in the current bill, Bill 131, to follow our support orders where the payer is currently located. But let's also make sure, for people who live in this province who don't have to deal with the interjurisdictional support order issue, because both the payer and the recipient of the money are located right in this province, that the office that operates that, the Family Responsibility Office, is properly resourced. That currently is not the case.

In my constituency office, and in talking to some of my colleagues—it has been their experience as well—probably second to the general issue of health care and long-term care, the area we as a constituency office are primarily involved in is dealing with the ongoing problems related to the Family Responsibility Office. I have one staff person who deals with Family Responsibility Office matters, I would say, a good 20 hours per week in just following up on support cases.

The people with whom I or my staff have had any contact who work in the Family Responsibility Office by and large do an excellent job. The problem is that their caseload is just way too large. They've got caseloads of 300 or 400 files to look after in situations where orders are in arrears. It is almost impossible for those people to look after these files and get updated information as to where the payers are working or where they're banking or making sure they get their monthly payments into the office in time etc.

So people come to a local provincial member in the hope of speeding up the process or making some inquiries as to why the payments that are due under the orders aren't being made, and sometimes we are successful in moving the process along. Quite frankly, that's all we can do at times, and we're glad to be part of that. But we shouldn't be part of that. Those offices should be sufficiently manned. They should have sufficient resources. There should be enough people working there so that the caseloads are manageable. There isn't a more important financial transaction or matter than to make sure that women and children—primarily women and children; in some cases men and their children—get their support payments in a timely and ongoing fashion. This isn't some sort of debt that is owed to an individual as a result of a commercial contract. This is money these people live on, on a day-to-day, week-to-week and month-to-month basis. When they don't get the money in time, it means in effect that the children will not get enough to eat or that some of the other items that have to be bought cannot be bought. They need that money right then and there. They don't need it a month from now, they don't need it two or three months from now; they need it now.

So it's extremely important, I would have thought, for the social good of the province and the individual families involved, that the government place an extremely high priority on making sure support payments are being made in a continual and timely fashion. If they are made

as required in the various orders, then the amount of stress and strain on the rest of our social safety net services is going to be a lot less. For a government that likes to pride itself on the fact that they like to run things in a businesslike fashion, you would think they would have realized that if you resource the Family Responsibility Office with adequate human resources so the files can be looked after on an ongoing quick and efficient basis, there would be less money being paid out on social services on the other end. In effect, society benefits, and of course the individual families benefit, from that. I would just urge the government and the minister involved to take a look at the recommendations once again—which were unanimously endorsed by this House—in the report that was done on the Family Responsibility Office, and to resource it properly.

#### 1620

While I'm on that particular topic, let me also mention one other area which is very closely associated with family law and support orders. I personally, having practised in that field—I don't do so any more, so I have absolutely no conflicts of any kind whatsoever—can tell you that it is extremely, extremely important that the people who need the access to our family court system have adequate and good legal representation when they do so. I think we have taken a huge step backwards in this province over the last six or seven years by cutting back the number of legal aid certificates that used to be issued in family matters. I hear now from some colleagues of mine that some very important, almost lifelong decisions are being made in Family Court at times when people do not have any legal representation at all or have minimal legal representation through duty counsel, who always tries his or her best but may not be aware of all of the circumstances in the short period of time that the individual has to deal with that person before they go into court. I think that having the right to be represented by legal counsel, whether it's in a criminal matter or a Family Court matter, is of such importance that we as a society have taken a backward step when a lot of the legal aid certificates that used to be issued in the family law area are simply no longer available now because of the cutbacks to legal aid.

I won't even deal with the whole issue about the fact that the legal aid tariff hasn't changed at all. This year the Attorney General thought he would throw a crumb to the legal profession by saying, "Here's a 5% increase," the first increase in, what, 15 years. Of course, the legal profession in a lot of parts of Ontario is incensed about it and has decided not to take any further legal aid cases. I would hope the government will come to its senses.

This isn't a question about paying lawyers, although I'm sure a lot of people are thinking that's what it's all about, and yes, directly it is. But what it's really about is the fact that an awful lot of people appear in our court system now, whether it's in Family Court, criminal court or whatever, without any representation, where 10 years ago I can tell you that was not the case. It's a step backwards.

I know my time is almost up and that there are many other people here who want to get in on the debate as well.

There are so many other issues that we could talk about as we return to the Legislature for the first time in about four months. We could be talking about the high energy rates, the high electric bills that people are getting all over this province, or the much higher gas bills. Those issues have been raised with the government just within the last couple of days. What's their answer to all of that? "It's a free market out there."

Well, that's not what we have governments for. What we have governments for, in my opinion, is to look after those people within our communities, within our province, who need assistance, who need help. In socking a high electricity bill to a senior citizen couple, one that went up \$40, \$50, \$60 a month, as we heard here today, or the same thing that happened with respect to the natural gas bills or their property taxes because of the tremendous downloading to municipalities so that municipalities don't know what to do other than to raise their taxes, what have we really done? All we have done in the long run is cut a whole bunch of income taxes from which the better-off in our society, or corporations, mainly benefit, and indirectly sock those charges on to people at the lower end by higher user fees, whether it's electricity costs or water costs or whatever in so many other areas.

I know I'm getting a little off the topic, and I certainly don't want to do that, because I think the Interjurisdictional Support Orders Act is extremely important. It's a matter we should all be concerned about. But at the same time let us not lose sight of the fact—

**Mr Doug Galt (Minister without Portfolio):** It's Bill 131.

**Mr Gerretsen:** It is Bill 131.

**Hon Mr Galt:** Hear, hear.

**Mr Gerretsen:** The chief government whip likes to laugh and joke, but I tell you it's a very important matter. It's an extremely important matter for those individuals who rely on the support payments.

While I'm on my feet, and I have less than 30 seconds left, let me ask and plead with those government members who are currently in the House—and they're mainly backbenchers—to go into their caucus meetings and take up the cause of the people who are living in our long-term-care homes. Those people have been socked with a 15% increase. Whether it's over one year or three years, it's the same. Many of these people live on fixed incomes, and these are people in their late 80s and early 90s who have absolutely no ability to go anywhere else or to get the additional money. The government loves to say, "Well, we're putting \$100 million into long-term-care operating costs," but I think the people of Ontario should know that the residents of those homes are paying \$50 million of that.

With that, I will turn it over to our deputy leader.

**Mrs Pupatello:** I'm very happy to speak to Bill 131, called the Interjurisdictional Support Orders Act. I hope

there are people from my riding who are watching; I know my staff in the constituency office are, because this is an area they work on and spend so much time on. The frustration levels are incredible. You can imagine being the staff trying to deal with this issue. Try being the parents. Try being the people who have children, who know they have money owing to them and can't pay their bills. I want you to imagine what it must be like to have your young children going back to school this September, money in arrears from deadbeats who are not paying support. They've got things to buy for these kids, whether it's paper and pencils or boots and jackets or all those things we rush out to prepare our kids to return to school. We have families in Ontario who are scrambling.

Can you imagine the scramble when you know you owed \$8,000 in back pay or \$25,000 in back pay? Imagine what it's like at Christmastime. We've been sitting in this House before, around Christmastime, when we brought forward cases of families who are struggling to get through the holiday knowing there are thousands and thousands of dollars owing to them, but our system, the Harris-Eves-government-created system, has made it an absolute mess.

We want to talk today about the Interjurisdictional Support Orders Act. I want to tell this government to get its house in order now. They have been talking about—I remember the Attorney General at the time, old Charles Harnick. Do you remember him? I remember writing Charlie a letter and asking him to give me a portion of his ministry's overhead, because my office has now become the Family Responsibility Office to a large degree. They closed down the office in Windsor. When we had our own people from Windsor working with local employers, we did not have these issues. Today, in the eighth year of the Harris-Eves government, we have a mess.

This letter came to my office this afternoon. This is from an individual who firmly believes in paying child support. This was a court order, effective June 29, to increase child support payments to the recipient. "I totally support the paying of child support. This was never an issue for me," this person writes. "Both the recipient and myself as the payer didn't want to go through FRO, so we immediately signed a notice of withdrawal." They sent all of this in August 1999. This is several years ago.

"I had not received any information from FRO and unfortunately assumed everything was taken care of (ie, nothing was being garnished from my wages, hadn't heard anything from lawyers dealing with this). I have always and continue to provide postdated monthly cheques and have never defaulted, nor have I been late, nor have any cheques been returned as NSF and have always paid in full." This is a typical story in my office.

**1630**

This letter goes on to say, "On Monday"—now year 2002, August—"I attempted to obtain a pre-approval for a loan with the Royal Bank for which I received privileges as a preferred customer. I was confident of no credit problems because I have never had bad credit at



any time in my life. To my horror, I was told I owed FRO" over \$12,000. "I quickly calculated that this was the amount I had already paid the recipient since the court order. I was on vacation with my daughter at this time, which ruined our time together while I panicked about my situation. I didn't even know I had a case number until I called FRO and was advised. For this initial call, it took 45 minutes on that Monday for a real person to come on the line."

The letter goes on to describe an incredible situation dealing with a couple who are completely in agreement as to what's to pay and that it should be paid. So you can imagine the difficulty when we deal with cases when one of the couple is not wanting to pay. I thought that's what you were supposed to fix when you closed our Windsor office down and took our experts, people who worked on these files for many years with cases that never had problems. All of a sudden, everything was thrown in disarray.

This individual goes on to list for the government concerns and issues, and goes on to say, "I don't like the fact that I was proven guilty before I could contest false accusations of bad credit/outstanding child support." The reality was, this individual was paying all along.

We have many stories like this. It's so unfortunate to see what this government has created: an absolute mess. But today we're going to talk about Bill 131, because they want to expand additional interjurisdictional agreements. That sounds wonderful, but practically, can you imagine living in a border community? I ask the members who are here.

I live in Windsor. Many people in Windsor work in the United States, but they reside in Windsor. Guess what? All of the agreements are to do with residency, not where people work. So when people in my community work in the States and get paid in the States, your agreements don't apply.

What are you doing talking about going to the moon when you can't even drive a Volkswagen here? That's my question. Why are you trying to expand even more when you can't even deal with the systems we have today? Are you telling me that you shouldn't have decided that if people reside in Windsor but work in a different country or a different jurisdiction, those agreements ought to be instituted, and should have been a long time ago? You've got agreements with 40 out of 50-some states already, and yet if individuals in any border community work in a US state, those agreements don't apply because they still live in our province.

Come on; this is basic. You don't have to be a brain surgeon to figure out that this should have been resolved. We've got people who are owed tens of thousands of dollars, and they're thumbing their noses at us. In particular, they're thumbing their noses at their responsibility to pay for their kids. These people who don't want to pay are as sneaky as they get. They use their lawyers for every little trick in the book to delay and delay, and in the meantime, when these individuals are paying \$2,000 and \$3,000 per month—literally that's the level of

support—if you delay months and months, we're racking up tens of thousands of dollars of money owed to take care of children in Ontario. This government is not helping. They're creating more disaster than they're solving.

Denise McLean: I've spoken about her in the House before because her story is absolutely incredible, about a deadbeat dad who lives in Alberta. We have an agreement with Alberta, so what happened? She had to go to the press and do all kinds of things to track this guy down in Alberta. She tracked him down. It was quite a fluke, but she was able to find him. It then became an issue in the Alberta courts. The courts in Alberta made our Ontario Family Responsibility Office aware that this was going to court in Alberta. The Family Responsibility Office did not contact our client. This individual, Denise, did not know and of course didn't appear in court because she didn't know it was going to court, because the people who received the information from Alberta just didn't do anything with the file. I'll never forget those days. Kandi in my office—many people in Windsor know Kandi—was on the phone repeatedly to get these people to move, and nothing happened.

We've been dealing with Denise for almost eight years now. In April the reduced amount of her arrears was \$10,000. The initial amount owing was \$72,000 and now, for all of these courtroom machinations, \$10,000 is what she's owed. The court did say that he will have to pay \$200 a month, and if he doesn't pay, each month it's going to be \$100 of added penalty. Do you know what I have to say to that? Big deal. You've made an absolute mess of this file for this family. These individuals have worked long and hard and gone far beyond what they needed to to get a response. Not only did the government not help, it actually hurt. She should have been getting \$72,000—that was what was originally planned—and now it's been reduced to \$10,000. It's grossly unfair.

We have an individual in my community who is owed \$8,000 in arrears. The licence has been suspended for this deadbeat dad. He's still driving. He caused an accident so he fled the scene. This default hearing happened in June. He just didn't show up. It took until September 12 for the Family Responsibility Office to actually make the request for a warrant for his arrest. Why would that be?

These people who actually work in these departments are doing their level best to get through the caseload. I've got to tell you just quickly what happens with these caseloads. They've got too many and they can't deal with them. They can't get all the 1-800 numbers, people calling in. No one answers the phone or you get put on hold literally for hours. Our constituents tell us that what they decide to do is just lie on the couch listening to the music because they know they're going to be there an hour waiting for some live body to come to the phone.

*Interjection.*

**Mrs Pupatello:** This isn't funny. This is people's lives that we're interfering with here.

So they can't get through and they will call our office. We take all the information. We used to get a call on Tuesdays and Thursdays from the Family Responsibility

Office. We had so many cases to go through with them that they put a timeline on how long they'll call our office for. So they have about an hour. In that hour our staff in Windsor have to weigh which cases they can give her because there's a time limit. Last week one of them took an hour and a half, which was quite a bit of time, leaving the other staff person not getting any of her cases in, because we're limited for time. It used to be Tuesdays and Thursdays. We've now been reduced to one call a week. We get one call a week and we had better prioritize our cases, because that's all that they can deal with.

We're told that people have called. They stay on the line. The office closes at 7. After having been on hold for 45 minutes, the line goes dead because the office is closed. This is how we're treating our people. For God's sake, they're not criminals. They just have a deadbeat spouse who's in arrears. We're treating them to this labyrinth of a system that simply doesn't work for people.

One of the agents tells us that the constituents shouldn't call us for these minor details with their cases. We tell them, "These constituents can't get through on your 1-800 number." So we get grief from the people dealing with the file because they shouldn't call our office. The people have to call our office because they can't get through on the phone. When they get through on the phone, they don't do anything in regard to the file. Very rarely do we have a case that's a happy ending, where we make a call and the thing actually happens. It's always some big jump, some other reason why the thing doesn't work. The stories are absolutely horrendous.

I want to go back to what happened initially. They closed the Windsor office. We told them then. Many of our offices became the agents or some part of the Attorney General's office dealing with all of these people who have these terrible problems. It's not just a problem with people who have deadbeat spouses; it's problems with those who are very much in agreement to pay, and the people who are paying are having a problem, like the letter I read today. It goes up and down.

1640

So today we want to talk about adding more jurisdictional agreements. Well, isn't that grand? This is what the government has been doing since the beginning of time. They're constantly making announcements and then the follow-through simply isn't there. There's a complete mismanagement of government by the Harris-Eves government.

Today we saw Ernie Eves in Harrow making an announcement for nurse practitioners. How similar is this? You make a grand announcement about this new Family Responsibility Office, but the guts of the matter is that it doesn't work. So Ernie Eves goes down to Harrow to announce he's going to have costing available for several nurse practitioner positions. The devil's in the details. I'll believe that when I see it.

I remember Jim Wilson, when he was the first health minister, talking about employing nurse practitioners.

That was eight years ago and we still don't have nurse practitioners working in Ontario. And there's no definition of where nurse practitioners would work—not a mention today of primary care reform. We all agree with primary care reform, but that's not involved in the announcement. It's more mismanagement by this government.

"Charlie," I used to tell him on the telephone, "you've got an absolute mess here."

"Oh, but we're cleaning it up." Then he would continue to recite the number of cases now flowing through Family Responsibility Office.

The reality is that you don't give people a choice. In the case I just read today, even when people are very prepared to work this out and have all the proper paperwork signed, you screw up their file.

Even when Baird was the minister, I remember going to him and saying, "I've got to tell you, in this case in Alberta, when your office did not notify our client that she had to appear in court and, as a result, the thing was thrown out, it was only by the goodness of lawyers in Alberta working for the government of Alberta to have called to say, 'You have to understand that this should never have happened.'" Can you imagine? You've got to be on the hook for other jurisdictions calling us to tell us how badly you screwed up? That's exactly what has happened, and it happens repeatedly.

But this mismanagement is not just in that ministry. It's the same thing across the board. We have umpteen examples of big, fancy, flashy announcements, but there's no detail, no information about how something's going to work. You send everybody into a tailspin, and it doesn't ultimately happen.

Private MRIs: the Minister of Health today told us at committee that he'll probably be handing cash over to private companies to open private MRIs.

It's the same case with Bill 131: mismanagement is at the root of this. They haven't got a clue. The government can't see past the end of its nose to understand how it would actually make something work—and that's a long nose for some of the members opposite, I might add. I could probably get away with saying that, Speaker.

Anyway, I want to finally tell the government that when it comes to family support, all parties understand that it's a role government has to play to get these people to pay child support, to get these people to pay spousal support. Considering that we have all-party agreement about what we should be doing, how could you possibly screw this up? How could we possibly have more and more examples of the poorest customer service on record? How many people in this House would stay on the phone 45 minutes waiting on hold? It sounds like the Ontario Energy Board to me.

I know all of us remember that when all of a sudden all this electricity deregulation happened, everyone was calling the 1-800 number. Poor old Floyd Laughren, the NDP treasurer, appointed by Ernie Eves now at the Ontario Energy Board, didn't know what hit him, he had such a flood of calls. But there was nobody answering the



telephones there. Well, if you put out a phone number and tell people to call, what do you think will happen? They'll probably call.

You changed the Family Responsibility Office—whether it's Charlie Harnick or Ernie Eves; all of them are responsible—and cut the amount available for staff. When the auditor looked at your books, he said you've increased the caseloads by 35% and you've got staffing levels at 1994 levels. How is this going to work? You've got fewer people available today to deal with far more cases. The result? Someone will call my office, give us maybe one hour—and we've got, on average, 10 cases per staff person to get through the Family Responsibility Office—and we're suddenly told, "Prioritize your cases. Give me the worst case." They're all bad. Can you imagine? Is it worse to be \$10,000 in arrears when you're not paying your bills, or is it worse to be \$5,000 in arrears when you still can't pay your bills? It was September, for God's sake. We have kids going back to school and we've got parents out there without a dime. You have heard cases in this House of people who haven't been able to keep their homes, not because the money hasn't been there to pay but because you screwed up the system.

It just galls me to sit here and talk about Bill 131. You want a big headline: "Isn't this a great law?" You can't enforce the law. You can't enforce what you currently have. It's going to take a Liberal government under Dalton McGuinty to fix this system, and I'm looking forward to that day.

**The Acting Speaker:** Questions or comments?

**Mr Kormos:** I heard the member refer to one Mr Harnick. The name rings a bell, but I'm not quite sure who he was. The member might elaborate when she has the floor again. Mr Harnick? It sounds familiar, but I can't quite place him.

Let's not take this out of context. We've had reciprocal enforcement of orders legislation in this province since at least 1948. The government hasn't come forward with some revolutionary new approach to these things. Let's put Bill 131 into perspective here. The member who spoke was critical of the government for somehow trying to generate fanfare around Bill 131, and I think she was probably right. There is a modest tinkering with legislation that's been here for, gosh, over 50 years, at least since 1948.

But the real issue is not this bill. Mind you, for the life of me, I can't understand why the government wouldn't have called this bill earlier. For the life of me, I can't understand why the government wouldn't have put this bill out to committee hearings after first reading.

There is nobody in this Legislature who quarrels with the harmonization of our legislation with the legislation of other provinces. I understand this bill. It flows from a Premiers' meeting wherein there was an agreement about harmonization. You heard earlier that whole harmonization process goes back well into the mid-1980s, where interprovincial committees were working and trying to harmonize legislation around all sorts of areas.

There are far more serious problems being overlooked, denied, obscured, certainly not addressed, around access to Family Courts and spousal and children's litigation.

**Mr Johnson:** I wanted to add my comments to the Liberal caucus. It divided that hour up and went on and on about how bad the government was. I kind of had to smile and laugh to myself, because I thought, if things were so bad, if the legislation was so bad and they were criticizing everything, then why would they decide and say at the end, "We're in favour of this"? I just wanted to point that out. I just thought, if things are all that bad, the gloom and doom and everything else, then why on earth would they want to stand up and be proud to say they are in favour of this legislation?

I am. I'll be pleased to stand up and vote for Bill 131.

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** There were a number of comments made by the members opposite. You can understand the barracking and the caterwauling that goes on across the floor, including the likes of Kormos. You know what the good people out there should know? This is a bill they're voting in favour of. They are supporting this bill. Bill 131 is a bill that the opposition is voting in favour of. You heard the caterwauling and complaining and carrying on, all this yada, yada, for an hour, and that's a bill they're voting for. So you've got to understand, when you get the member from Windsor up there caterwauling at length about a bill she's voting in favour of, you must realize the frustration we have when they haven't actually disagreed with the bill we've put forward.

**Mrs Pupatello:** Are you suggesting these problems don't exist?

**Hon Mr Stockwell:** And here we have her again. She had all the time in the world to talk—I have but two short minutes—and she still can't stop talking. She still keeps going on. She left a minute on the clock. I guess she ran out of things to say; now they've come to her.

1650

**Mrs Pupatello:** Don't deny the problems. Don't you deny they're not there.

**Hon Mr Stockwell:** Oh, there she goes.

**The Acting Speaker:** Order.

*Interjection.*

**Hon Mr Stockwell:** You're going to have to kick her out, Mr Speaker.

**The Acting Speaker:** The member for Windsor West will come to order. Minister of the Environment.

**Mrs Pupatello:** On a point of order, Mr Speaker.

**Hon Mr Stockwell:** I've got two lousy, stinking minutes, Mr Speaker.

**The Acting Speaker:** Stop the clock. On a point of order, the member for Windsor West.

**Mrs Pupatello:** I was asking the minister to address the problems in Etobicoke with this issue.

**The Acting Speaker:** That is not a point of order. Minister.

**Hon Mr Stockwell:** That's not even a point of interest.

**Mrs Papatello:** It is to the people of Etobicoke.

**Mr Galt:** She's out of control.

**Hon Mr Stockwell:** Mr Speaker, you're going to have to throw her out. It's clear, she's out of control, and this is a bill she agrees with.

**Interjection:** She can't stop talking.

**Hon Mr Stockwell:** She's completely out of control on a bill that she agrees with.

My friend the member for Perth back there says this is a good bill. He's proud to vote in favour of it. I'm proud to vote in favour of this bill. It is a good bill. I know the opposition will be proud to stand in their place and vote in favour of this bill. I even think the NDP may stand up and vote in favour of this bill. I think we should all come together and just get this bill out of the way—we all agree with it—and deal with something that maybe they disagree with. That's the whole democracy thing working.

**Mr Galt:** It's obvious that Bill 131 must be a good bill because I had to keep reminding the members in opposition, in the Liberal Party, when they had that full hour to speak, that that was the bill we were speaking on. I know, Mr Speaker, you do a phenomenal job. I was surprised that they were so off topic, and you were very lenient and understanding.

They talked about the squeeze law. The only way the member from Kingston and the Islands, for example, would measure that is by how many charges have been laid. I measure it by how many young people weren't killed. I measure it by the success, that they're no longer out there in traffic, putting their lives at risk. I expect they're probably off being gainfully employed, as they rightfully should be with all the new jobs that have been created in Ontario since we took office. It's almost a million net new jobs. That's roughly 20% of the jobs that people have today.

I often hear the member from Kingston and the Islands complaining about some of the traffic jams we have. If you get a million more people going to work and coming home, it's not surprising there are a few more cars on the road. I can tell you that in 1995 there were no traffic jams. I could get in and out of Toronto without ever having to slow down. That's in connection with the squeeze law as he talked about, the family courts and legal aid. I hope he remembers the government that brought in the new Family Court reform and how successful it is.

He says we didn't return for four months. I'm not sure which math class he went to, but I would add it up to three months. June to July is one, July to August is two and August to September is three. That to me is one, two, three, but he seemed to think it was four months.

Then he was off on some journey about energy bills and long-term care. He was everywhere but speaking on Bill 131, a tremendous bill that I'm sure they're going to support.

**The Acting Speaker:** Response?

**Mr Gerretsen:** OK, you got me. It's three months, not four months. You're right, and that's the only thing you were right on.

As for the Minister of the Environment, we're in favour of the bill. We just don't like the way you run the Family Responsibility Office. Do you get it? That's what we talked about.

And, member from Perth-Middlesex, everything is not all right as far as the 128,000 families are concerned that are relying on the support money they're not currently getting. One of the reasons they're not getting the money is because you have not put adequate resources into the Family Responsibility Office to make sure orders that are out there are being enforced so that women and children can live on the support money rather than on a lot of the social service money you probably have to pay out right now that otherwise wouldn't be necessary.

The sole point we have been trying to make over this past hour is this: it is one thing to pass legislation, but the legislation by itself means absolutely nothing. I don't care what area of endeavour or public policy you're talking about, it means nothing if you don't put in the enforcement mechanisms, if you don't resource the issues that are addressed in the bill, if you don't put the enforcement mechanisms in place. That's the sole point.

**Hon Mr Stockwell:** We get it.

**Mr Gerretsen:** The minister finally gets it, and I'm very glad to hear that. It seems to me, from having worked with him in this House over the last six or seven years, that it's about the only thing he's gotten. But it's better than nothing.

All we're saying is simply this: resource the bills you're passing in the House in order to make them meaningful.

**The Acting Speaker:** Further debate? In the rotation, the Conservative caucus will be next. The member for Peterborough is—

*Interjections.*

**The Acting Speaker:** The member for Niagara Centre.

**Mr Kormos:** Speaker, we're going to vote for this bill so it can go to committee. We'll vote for it on second reading.

I hadn't intended to speak very long about it, but I was listening to the radio news this morning—I don't know if you heard the radio news, Mr Gerretsen. The government was dismayed that the House ended early last night because somehow the opposition members weren't prepared to speak on the bill for as long as they had indicated. That came from the government.

When I checked Hansard, I believe there was unanimous consent yesterday that there would be short comments by the government and then short comments by each of the two opposition parties, 15 minutes each. It wasn't accurate for the government to say it was the opposition members who somehow made the House shut down early.

The government having indicated their concern about opposition members not speaking as long as the government expected them to, I'm going to make up for any deficiencies that the opposition parties might have displayed last night. I'm going to compensate for that. Mr



Christopherson will indeed be joining me in short order, following me with his comments, subject to whoever else might want to speak in the rotation.

I've got to tell you, I've sat in here listening to the speakers. I want to tell the pages—this is day two at work, huh?—it's not as bad as this all the time. There are far better days. There are days when the debate is lively and exciting and where the verbal duelling might even capture your attention.

The problem with an afternoon like this is—you know folks are watching this on TV, right?—we've lost most of our audience. Hopefully the people with the remote controls in their hands, as they're scanning the television networks, will seize on this. I don't know, for the life of me, if I can get them back, because I've had to endure the last two hours of so-called speech-making here as well.

**Hon Mr Stockwell:** On a point of order, Mr Speaker: I know the member stood up earlier and asked a member of the Conservative caucus to stay on topic, Bill 131. I know he wouldn't want to break the rules, because he's such a person to see them enforced. I can only ask that the same be required of him.

**The Acting Speaker:** That is, of course, a point of order. I'm sure the member for Niagara Centre will be relating his remarks directly to Bill 131.

**Mr Kormos:** Speaker, I value your guidance. I want to express my gratitude to any member of this assembly who would stand during one of my best efforts to speak to the bill and remind me that perhaps I've drifted. I understand it. I understand that it's members fulfilling their responsibility to this assembly who bring it to your attention. I hope I don't disappoint you this afternoon.

I've got to tell you, I was here during question period when the Speaker was pretty firm—

**The Acting Speaker:** Let's get back to Bill 131.

**Mr Kormos:** Got you, Speaker. But I was here earlier today during question period, when the Speaker was very firm about the kind of language we can and can't use. So I'm going to do my best to refrain from language that might be volatile.

I told you a few minutes ago during questions and comments that this isn't news. Bill 131—

**Mr Galt:** On a point of order, Speaker: I wonder if we could get unanimous consent that for the remainder of this period the Liberals wouldn't have any questions during question period.

1700

**The Acting Speaker:** Mr Galt has asked that there be unanimous consent that the Liberals—I hear a no already.

The member for Niagara Centre.

*Interjection.*

**Mr Kormos:** A no is a no.

I got distracted now. Why did the member do that? The Speaker put me back on track. I was actually going to address Bill 131, and then this member stands up with something totally irrelevant to the debate that's being engaged in and distracts me. I almost feel compelled to go back to my notes and start over, at the beginning. I've

got to talk for an hour. You know that, don't you, Speaker?

First of all I should indicate, as I did on first reading back on November 8, 2001, that the minister, on introducing the bill—come on in, please. Help your caucus fill quorum. Have a seat. Feel at home. It's Mr Sampson, Speaker. I'm not sure if he wants in or out.

**Mr Rob Sampson (Mississauga Centre):** Are you going to continue speaking or not? That will make up my mind.

**The Acting Speaker:** Order. The debate really needs to be about Bill 131. I know that the member has been here for some time and he knows it needs to be about Bill 131.

**Mr Kormos:** I got distracted again with Mr Sampson standing in the doorway. I was going to talk about Bill 131, go back to where I had begun, and there was Mr Sampson, standing with his hands on his hips, Bette Davis style, as I recall the song, and he distracted me. I didn't know whether he wanted in or out.

In any event, this isn't news. We've had reciprocal enforcement of maintenance orders since at least 1948. I just had one of the pages go down to the library and quickly go through the archives in there. I didn't want to do exhaustive research since 1948. I should say, as I did back on November 8, 2001, I'm grateful for the briefing we got in my office from the Ministry of the Attorney General around the bill. I indicated to the Attorney General's staff then, and I'm going to repeat it now, that the bill has got to go to committee. The bill, according to the information I've received from those same staff, wasn't drafted by the ministry, and that's not to quarrel with it, but was the result of an agreement made by Premiers at a Premiers' conference sometime prior to August 2001. This is the interesting thing: apparently the commitment had been made by Premiers—it would have been Mr Harris back then, prior to August 2001—to have this legislation passed by August 2001. The bill wasn't introduced until November, and here we are already into September. I can't for the life of me, as I indicated earlier, understand why the government wouldn't have called the bill earlier. This would have been a perfect bill to send to committee during the summer break. I've got to tell you that this is the first chance I've had to speak here in this assembly since that summer break. I've been having a sort of assembly withdrawal. I've missed being here.

All summer we're in our constituency offices—I hope we are—and we've got lineups of folks, all as concerned as anybody could be about hydro rates, and what remains one of the frequent problems that our constituency staff have to deal with, and that's people getting jerked around by the Family Responsibility Office.

It covers the complete gamut; it covers the complete range. We've got payers—not always but usually fathers, dads—whose payments are being deducted at the source, but the money never gets to their kids. Think how frustrating that is. We get calls from the fathers too, the payers, the ones who had the orders made against them

who are dismayed at the fact that the money that was deducted from their paycheck doesn't get to their kids.

Remember back in October 1996, Ms Martel and I drove up to North York, as it was then, and photographed, videotaped the incompetent, ineffective, non-operational status of the new amalgamated Family Responsibility Office. Phones weren't plugged in, computers weren't connected. Box after box after box of files was sitting in the hallway, so anybody could walk in, rifle through them, access incredibly personal, confidential and private information—and indeed we did. And we photographed it, we filmed it.

There was an Attorney General at that time who, when we came back to Queen's Park and played the film down in the Queen's Park press gallery, got his knickers in a knot like you've never seen before. He was jumping up and down over there and, by God, I was going go to jail for the rest of my natural life and the whole nine yards. Well, of course, nothing of the type.

**Mr Joseph Spina (Brampton Centre):** Do you not have boxes when you move?

**Mr Kormos:** But the government got caught. It got caught in an obvious display of its incompetence, of this government's disdain for moms and kids—

**Mr Spina:** You don't have boxes when you move, do you?

**The Acting Speaker:** Order. The member for Brampton Centre will come to order. If he wishes to make a comment on the member's speech, there's ample opportunity during the rotation following the completion of that speech.

**Mr Kormos:** Thank you, Speaker. I know you were coming to my assistance on that one. I was having a hard time containing that member and I appreciate your intervening to take charge of the situation and relieve me of the additional pressure that put on me. So I'm grateful to you; I want to thank you personally.

Am I correct that the Tories didn't participate in the last rotation? It seems the Tories don't want to engage in this debate. There's been some rather pointed criticism of the Conservatives, of Ernie Eves and his flock of backbenchers here introducing this bill yet maintaining such indifference to moms and kids by virtue of their continued mismanagement of the Family Responsibility Office, yet it seems that the government doesn't want to respond to it. It seems the government doesn't want to engage in this debate. In fact, the government is in such a hurry to get Bill 131 passed—if they were in such a hurry to get Bill 131 passed, why did they move unanimous consent yesterday to abbreviate the sessional day? I don't know; I can't figure it out. I did my best; I really did. The government couldn't put up speakers yesterday, wants this bill passed in a hurry yet doesn't want to put up—it's just confusing sometimes.

But I tell you this: what's happening at the Family Responsibility Office isn't confusing, it's a downright crime. We've got dads—not always dads, but usually dads—who are paying the support, whose money is being deducted at source by their employer who is sending it

into the Family Responsibility Office, and then the FRO loses it in some big black hole somewhere. The FRO isn't getting the money out to the kids that the money was deducted for. The dads are frustrated as all get-out because their exes, the mothers of their kids, are phoning them up, saying, "Where's the money?" The guy's saying, "Look, the money was deducted, honest," and she's saying, "But I never got it and we can't pay the rent this month, we can't pay the hydro bill, we can't pay the natural gas bill. I can't get shoes for the kids."

Shelley Martel and I toured this province after we entered the Family Responsibility Office up there in North York with our video camera person and talked to mom after mom after mom and dad after dad and kids for whom not getting their support payment meant they can't buy food. I remember because we went into the Family Responsibility Office at I think it was the end of October, so it was approaching Christmas that we were touring around the province meeting folks like this, meeting moms and dads and kids. It was before Christmastime. People were getting evicted because the FRO, the Family Responsibility Office, was screwing up—no other way to put it—screwing up big time. What was frustrating about it was that day after day after day, in the fall of 1996, we New Democrats were in this Legislature questioning the then Conservative Attorney General about the foul-ups at the Family Responsibility Office after he shut down all those regional offices and amalgamated them into a mega-office in North York.

1710

The Attorney General stood on his feet day after day and insisted that everything was operating, everything was kosher, everything was just fine. Well, far be it from me to break parliamentary tradition and suggest that was anything of a prevarication, but surely the Attorney General was incredibly ill-informed about what was going on at his mega-office, wasn't he? His answers to our questions were 180 degrees opposed, the exact opposite, to what the reality was. People had already started to mistrust this government by the early part of 1996.

**Mr AL McDonald (Nipissing):** That's a strong word.

**Mr Kormos:** But the fall of 1996 and October of 1996 came around and there was videotape betraying this government's lack of straightforwardness to the mothers and kids and dads of Ontario. When there it was in vivid Technicolor, the mistrust escalated, the mistrust compounded, the mistrust became pervasive to the point where nobody believes these guys any more. They don't, nor do they trust you—dads whose money is being deducted at source and the money is never reaching the moms; dads whose money is being deducted at source that's getting to the moms but whose records at the Family Responsibility Office indicate it isn't being deducted, so they become victims of the enforcement process, an enforcement process that is so sporadic and erratic that it's ineffective and might as well not exist. The Family Responsibility Office, that's what I'm talking about, the family support plan—an enforcement process



that is applied helter-skelter, that has no remedies. I've got constituents coming into my office saying, "Look, I know where this guy is, I know where he works, I know his phone number and he owes me \$5,000 in arrears for his kids. Will you exercise some of the enforcement process?" All we get from the Family Responsibility Office is, "Huh?"

I've also got people coming into my constituency office who have confirmed proof of having paid every penny of their support obligations but who get notice that their licence is suspended for non-payment of child support. They're being punished for having done the right thing. Then you've got the all-out deadbeats.

Look, nothing can be more complex and more difficult and indeed more important—everybody involved, the players themselves and the community—than the breakdown of a family relationship, of a family structure. I'm often left saddened by the lip service that's paid to the "best interest of the child" children. I say lip service, because it so often is reflected in the concrete operations of the process.

What the government is doing with Bill 131 is offering and taking a step in participating in a harmonized regime so that the legislation will be in tune and in sync with legislation in other provinces. Fair and good enough. It eliminates one of the steps in obtaining an order, in that it doesn't require a provisional order that is then sent to the responding jurisdiction to be confirmed with a two-stage process; it provides for only one stage. God bless. In the total scheme of things, that in and of itself is not unreasonable.

It does, however, eliminate—and this is just something I had some concerns about—an existing right by a respondent—not the applicant; the respondent—to apply to set aside registration of an order from another Canadian province or territory raising legal concerns about that order. Again, let's assume for the moment that it's the dad against whom a support order is being sought. If the order is obtained in, let's say, British Columbia and sent here to Ontario, the current law is that there can be an exercise in the Ontario courts to object to that order and to dispute its validity or dispute its legitimacy. That, to me, seems a reasonably good safeguard against unfair or invalid orders being imposed and enforced. And it would seem a great injustice to require a respondent, a potential payer, to have to travel from Ontario to BC to object to an order, but that's what this bill does.

I don't know, and I'm quite prepared to receive counsel and advice from, let's say, the family bar—lawyers, women and men, who practise family law. There are all sorts of good ones here in Ontario, here in Toronto, down in Niagara region—Pamela Walker, down in Niagara Falls, is held in high esteem, certainly by me and by a whole lot of other people in her practice of family law; Earle Blackadder, Doug Thomas and so on, a whole bunch of people down there—who I think should have an opportunity to review this legislation and to appear before committee to make suggestions, to make comments about fine-tuning, tweaking it, making it better

legislation than it is and the best possible legislation it could be.

But the real problem is that so many women and their kids can't access the courts in the first place. Have you been to a Family Court lately? Provincial court, family division? Have you been to one lately? They're like sausage factories. You've got the provincial court, family division judge. I know it doesn't exist as a family division judge any more, because the judges hopscotch all over—and that's something we had a little bit of concern with too. What happened was that, prior to this government meddling in provincial judge appointments and what they're appointed to, we had a process where provincial judges, family division, had acquired expertise in family law and sensitivity around young offender work, junior-level, first-tier, level-one young offenders. Now we've got criminal judges hopscotching. One day they're in criminal court with adult criminals and the next day they're in Family Court doing family litigation. I don't think it's fair to the judges. I don't think it's fair to the litigants. I don't think it does justice to the justice system, because in a world where litigation is becoming increasingly complex and the amount of case law that a judge or a lawyer has to read has become increasingly voluminous, I don't think it's fair to expect a judge to—

**Mrs Margaret Marland (Mississauga South):** On a point of order, Mr Speaker: I was listening to the member for—what's your riding, Mr Kormos?

**Mr Kormos:** Niagara Centre, the heart of the Niagara region.

**Mrs Marland:** Niagara Centre. I'm very concerned, and I would ask you to rule whether it is in order for him to suggest that the government meddles around with judges. That's a very strong statement. In the context in which he was speaking, that is, I would suggest with respect, a slanderous statement against the government. I don't think this House really condones that kind of parliamentary debate.

**The Acting Speaker:** Thank you. The member for Niagara Centre.

**Mrs Marland:** Are you going to withdraw?

**The Acting Speaker:** I didn't hear anything particularly out of order. The member for Niagara Centre.

**Mrs Marland:** Well, I think we need to listen a little more attentively.

**Mr Kormos:** Please, Ms Marland, don't criticize the Speaker. That's not parliamentary. You can't challenge the Chair any more. Remember when we used to? Remember when we'd get those bells ringing?

**Mrs Marland:** You used to.

1720

**Mr Kormos:** Yes, I did it. I was a mere apprentice then to some of the senior members back in the late 1980s. Yes, we'd get the bells ringing for days at a time, wouldn't we? You were over here and, by God, you loved it. You relished it. The Tories were over here, as were the New Democrats, and they relished ringing the bells and getting Liberal cabinet ministers ousted. You thought that was pretty slick stuff in its day. Now all of a

sudden, oh, you get so sensitive about opposition antics, about the opposition—what do they call it?—grandstanding. Grandstanding? Think back to 1988 and 1989. We'd have the bells ringing three and four days in a row over the most trivial of things. When you were in opposition and we were the official opposition, we hounded Liberal ministers out of their position, out of—

**Mr R. Gary Stewart (Peterborough):** On a point of order, Mr Speaker: Welcome back to the Legislature, I guess. In my mind, this happens to be an extremely important bill. It's a bill about kids, and I suggest—

**The Acting Speaker:** If the point of order was that we should be talking about Bill 131, we should be talking about Bill 131.

**Mr Kormos:** And indeed we are and have been. I want to tell this member that it was his colleague who came in here and changed the subject. She's the one who stood on her point of order. She's the one who wanted to introduce a whole new direction to this debate.

**The Acting Speaker:** I have ruled on the point of order, so we should be talking about Bill 131.

**Mr Kormos:** You bet your boots, Speaker. That's what I have been and that's what I'll continue to be talking about.

I'm telling you, go out there and take a look at what's happening in our Family Courts. Because of the huge caseloads, they are being operated like sausage factories. Judges are sitting from 9 in the morning until 5 and 5:30 in the evening, their staff are sitting there with them—the clerks and the other attendants—and they're dealing with a caseload, a docket that is page after page. And what you get is litigants, people going to Family Court, who sit there all day, through no fault of the judge, Ms Marland, but because of the incredible shortage of judges and courtroom space.

I have talked to Family Court litigants. You're dealing many times with people between whom there is an incredible amount of acrimony, wherein there may well be allegations of physical violence. So you've got small-town Family Court rooms where a woman, as a spouse, and her partner or husband, as a spouse, are sitting there within touching distance of each other for five, six hours, waiting for their case to be called. Then it's 5 or 5:30, the judge and the staff have been there all day, and the judge has to tell them, "No, we're going to have to adjourn this and come back in four weeks', five weeks', six weeks' time."

If this government really wants to generate some justice for families that have disintegrated or that have exploded, that are falling apart—that's a process that's incredibly complex and incredibly dangerous too. We know about that, don't we? We know about how dangerous because of the raw emotions that prevail when there's a marriage breakdown, when there's a family breakdown, and even more so when there is in fact physical violence, or violence of any sort—mental abuse, verbal abuse or physical abuse. This government has little to brag about when it comes to the interests of separating couples and the best interests of their children.

One, we need more unified Family Courts in this province. I heard the early government speaker today talk about the federal government and the Divorce Act. The fact is that most family litigation is now done under provincial legislation, not under the federal Divorce Act. Huge numbers of support orders, custody orders, access orders are not done in the divorce courts but in the Family Courts, using provincial legislation. As often as not, you will see the matters of property etc—well, we have some problems here with property because we've got the provincial legislation which requires different courts to administer it, which is a problem in and of itself. But most of the family work is done in provincial courts.

This government should have stood up and announced today a commitment to the immediate establishment of more unified family courts. That, in and of itself, would have provided justice, more justice than exists now.

**Mrs Marland:** Didn't we announce the first one?

**Mr Kormos:** No, Ms Marland. They predate the NDP.

**Mrs Marland:** Oh, they do?

**Mr Kormos:** Yes.

**Mrs Marland:** They work, anyway.

**Mr Kormos:** You're darned right they work. You're darned right unified family courts work. And we need more of them.

This legislation is such a modest change in the law from its antecedent that the legislation in and of itself is not going to change things dramatically for most family litigants.

The other problem we have is access to those courts in terms of—and again, it's usually women; not always, because women in so many instances tend not to be the wage earner, and if they are a wage earner, they tend not to be the higher wage earner. So they don't have the resources to hire private counsel, to retain competent lawyers. They're dependant upon legal assistance.

I'm going to make something very clear—if you don't know it, you're going to learn it, and if you don't believe it, you go out there yourself and check—that is, most lawyers will not take on family litigation that's legal-aid sponsored. Let me tell you why. It's because legal aid has retained an artificially inappropriate hourly rate which makes it impossible for lawyers to do that work. Lawyers have overhead. A competent lawyer has support staff; a competent lawyer has huge costs for ongoing education and for reference materials, be it case law available through any number of subscription series that they receive. Lawyers cannot afford to do legal aid work, one. Two, in the instance of family litigation matters, a vast number of types of family litigation are excluded from the legal aid plan. Third, those that aren't excluded have caps on them in terms of the maximum number of hours that a lawyer can bill, and most competent lawyers concede right off the bat that they can't do justice to their client if the number of hours are capped at the rate in the current legal aid system.



All of the legislative changes in the world mean diddly-squat if litigants aren't getting access to competent, trained lawyers to represent them in what are incredibly complex and very volatile family law matters.

Not only would I have been far more pleased, I would have been prepared to laud this government were it to have announced today the establishment of more unified family courts. I would be overjoyed were it to announce a fair reform to its legal aid system: adequate hourly rates, an elimination of the capping for family law services and an inclusion of all relevant family law litigation into the legal aid scheme. None of those three aspects involved in legal aid were involved and, of course, we've heard nothing about unified family courts from this government in such a long, long time.

Never mind unified family courts, which I concede require co-operation with the federal government because of the nature of the appointment of judges and payment; we haven't even heard of any new significant Provincial Court judges to handle the caseload which is burdening family courts and quite frankly criminal courts. Again, we have these judges—

*Interjection.*

**Mr Kormos:** Ms Marland, please. What I was talking about was the government's changes to the appointment of judges, because historically judges were appointed to the family division or to the criminal division. Then this government eliminated that distinction so it just has provincial judges. It sounds good, but what it means is that judges are doing criminal court one day, family court the next day, and with the burden of their caseloads, they are, simply, increasingly frustrated in terms of the research they have to do, in terms of keeping on top of the law and of doing justice to their responsibilities.

1730

The government meddled in a judicial appointment system that was working quite well. The government meddled. It should have left the judges to do what they did best. I was at the committee hearings around those legislative changes and I heard the objections to it. I responded and I agreed with those objections, but the government members sat at that committee and couldn't give a tinker's damn about the concerns that were being expressed. I was there. I watched the government members. I listened to them saying, "Ah, go away. We don't want to hear this sort of criticism."

I should tell you that today is the birthday of one of my constituents, Anna Hucajluk, born in Sofia, Bulgaria, on September 24, 1925. I just wanted to say happy birthday to Anna Hucajluk. She would have been very concerned, and now she's even more concerned because I indicated the year of her birth. But she looks a good 20 years younger, honest. People will think that I'm misleading the House by having suggested—is it OK for me to say that I'm misleading the House?

**Mrs Marland:** Yes, it is.

**Mr Kormos:** I don't hear any points of order now.

In any event, there's a crisis out there when it comes to family litigation. Again, increasingly, we have people

in our constituency office, and I suspect it's the same for most other constituency offices, who have to represent themselves in family court. Let me tell you what happens.

This is where the criminal lawyers, with their boycott of legal aid, are going to demonstrate how relevant and important it is. People think, "Oh well, maybe these criminals shouldn't have lawyers anyway, because it would make the process so much easier," right? It sounds good. First of all, if you've been charged, you don't think that. It's not such an attractive proposition if you've been charged with an offence, especially if you're, dare I say it, innocent. Second, judges know, crown attorneys know and defence lawyers know that competent counsel working in litigation, be it criminal litigation in our criminal courts, be it family litigation or others, actually do make the process work faster, more effectively, with less prospect of appeals and more competent levels of justice being administered.

It seems at first blush so easy to tell family litigants, to tell a mom with kids who's seeking a custody order, who perhaps wants to vary a support order, who's seeking a support order in the first instance, "Just go in there. Don't worry. Fill out the forms and everything will go along smoothly." It doesn't work that way. The victims of this government's indifference to those people inevitably are the children, the kids. When we have people representing themselves, we also deny those people, in most cases, the opportunity to access expertise that might be helpful to them.

One of the other areas of real concern as well is the lack of investment by this government in court-based mediation processes. Again, I'll give credit where credit's due. Alternative dispute resolution in our court, in our judicial process, goes back into the 1980s when it first became *de rigueur*, if you will, it started to become stylish. As the evolution of alternative dispute resolution has occurred it has demonstrated itself to be increasingly effective at achieving better resolutions, stronger resolutions and speedier resolutions. That means it is less expensive. Not a word from this government about more investment in court-based mediation; not a word, not a penny of new investment. I tell you that's a crime.

Yesterday we had the Attorney General standing up and talking about how this government, by God, is there when it comes to women and kids, how it's standing up for the women and kids who are victims, boy oh boy. And today, a backbencher from the government, who did the first comments for the Conservatives, said, "This is this government, the Harris-Eves government, standing up for women and kids." It made me think of the Vanscoy and Even litigation. Remember that litigation? Karen Vanscoy and Linda Even sued this government, seeking relief under this government's Victims' Bill of Rights. Ms Vanscoy's daughter was slaughtered, butchered with a gun to her head. Ms Even's male partner stabbed her again and again and again as she sought shelter under a wool blanket. He punctured that blanket well over 20, 30 times, as I remember, with the blade of a

knife, plunging it into her body until the blanket was blood-soaked red. In both those instances, the crown attorney was doing some speedy plea bargaining to get the case out of the system without having consulted either of the victims.

So Ms Vanscoy and Ms Even litigated against this government. And what did the judge say about this government's Victims' Bill of Rights? It is astounding that this government even dares utter the words "our Victims' Bill of Rights legislation" after the courts trashed it, after the courts said, "This bill of rights has no rights. As a matter of fact, this bill of rights ain't worth the paper it's written on."

It was so tragic. In the summer, I was across the way, over at the University of Toronto, where they had a victims' commemorative ceremony in Convocation Hall. The Attorney General was there. I thought that was good. I was glad the Attorney General was there. Of course he went and politicized the event, which I thought was a little tacky, to say the least, in the context, and then bragged about the Victims' Bill of Rights in front of victims. I thought, how sad. Either the Attorney General hasn't read the history—because he wasn't the Attorney General back when the Victims' Bill of Rights came in. It was one Mr Harnick.

**Mrs Marland:** At least he didn't drag the victims into this Legislature.

**Mr Kormos:** Well, you're here, aren't you?

**Mrs Marland:** I'm not a victim.

**Mr Kormos:** No, I am. Now I am.

I found it incredible that the Attorney General would still reference the Victims' Bill of Rights when it has been so thoroughly discredited. It is not one of the shining moments, as if there have been very many on this government's part. It wasn't one of the good days. Let me put it that way.

I remember Marion Boyd—do you remember Marion Boyd?—sitting here with the NDP caucus telling the government while the Victims' Bill of Rights was being debated, "This bill is not going to do what you say it is. It's a deception. It's some legerdemain, some sleight of hand." The government forged ahead and waved that Victims' Bill of Rights, and what did the judge say in the Evens-Vanscoy litigation? He said, "The Victims' Bill of Rights ain't worth the paper it's written on." The government's own lawyers argued that it ain't worth the paper it's written on. The government's own lawyers, in a civil litigation, had to acknowledge that it ain't worth the paper it's written on.

Then, I remember the urgency with which this government wanted to—do you recall the bill that was going to have justices of the peace doing restraining orders 24-7? Do you remember that bill? Oh, this government was gung-ho. They were hell-bent they were going to get that bill passed because, by God, this was going to clear a new path for women as victims of domestic violence.

We were in committee. I was there, and I was telling the government, "Look, where are the resources? Where are the JPs? Where is the support for the women who

have to access the JP after perhaps having been beaten in the middle of the night or threatened with knives or other weapons or brutal fists, and it was, "Oh, don't worry. Don't worry." How long has that bill been passed? That bill has been passed for over a year and a half and it still hasn't been put into effect. It has disappeared, dried up and blown away like dust in the wind. Honest. I wouldn't lie to you. I'm telling you the God's honest truth.

1740

What a phony, phony exercise. We've got the same thing here today. We've got a bill that should have had a modest amount of debate but for the government complaining yesterday that there wasn't enough debate. I heard it on the radio news this morning. It was CBC; it had to be true. Yesterday the government was saying, "Oh, opposition parties didn't debate this bill enough yesterday." OK, then we'll debate it today. I've got colleagues who may well want to speak to the bill. I know Mr Christopherson will want to speak to the bill. Ms Martel has an interest in it. She can't be here today. She's here in the building; she was here during question period. Mr Martin had some interest in speaking to it.

All the support payments in the world—let's look at this facet of the plight of single mothers. The fact is that most single mothers are living in poverty. What does living in poverty mean? A couple of my colleagues, Mr Prue and Ms Churley, have taken on the challenge of living on a welfare budget. You might have read about it in the newspapers. They're spending \$12.05 a week—is that right?—on food because that's what you'd get on social assistance.

You see, a whole lot of single moms with kids are living on social assistance because the support payments they're getting are so low, notwithstanding the table, that they merely compensate the social assistance system—that in and of itself isn't a bad thing, but it doesn't top up the social assistance they receive—or because they're not getting any support payments at all, because they can't access the court system because they can't retain counsel. Even though they're eligible for legal aid, lawyers won't do legal aid work because they know they can't do justice in family litigation with the legal aid tariff and the cap on the number of hours.

A whole lot of single mothers and their kids and a whole lot of families are living in poverty. Please, I don't want to stigmatize single moms. It's because of the economic reality of one-parent families in relatively high unemployment and, when there is employment, increasingly low-wage employment, minimum wage or sub-minimum wage employment.

Twelve dollars and five cents a week for food, that's a buck and change a day, is what a person on social assistance receives—a buck and change a day. Come on, Speaker, you and I lose that much in the La-Z-Boy chair every night. We do. A buck and change a day for food: one Starbucks and she's gone; your one Tim Hortons down on Niagara Street in Welland and there goes your food budget for the day. A quarter pounder with cheese? I think not.



Have we got a government here? Do you want to generate some justice for single moms, for women whose relationships have disintegrated, women who are victims of violence, or have been, and their kids? We haven't seen an increase in social assistance rates since they were slashed by almost 22% back in 1995, and since 1995 we've seen an over 16% increase in the cost of living. That means this government has slashed assistance payments by almost 40%. That number is interesting because it's by almost 40% that this government gave themselves a salary increase. Remember that, a 36-point-change per cent salary increase for MPPs and a 40% income reduction for social assistance recipients?

Look, I know folks on social assistance down where I come from in Welland, Pelham or Thorold or south St Catharines and for the life of me I don't know how they do it there. I can't even begin to imagine how you do it in Toronto, where the rental costs are double, triple and quadruple what they are in smaller-town Ontario. Food costs are basically the same.

That panhandler on Yonge Street or along Wellesley Street or up Bay Street, as you're walking to Queen's Park or up University Avenue or down University Avenue, more often than not, as often as not, is trying to supplement a buck-and-change-a-day budget for food.

Speaker, a box of that macaroni and cheese dinner starts somewhere around 89 cents down where I come from—I don't know how much it costs where you come from—and that's without the milk and the margarine. A package of wieners, you're talking \$2.79 easy, unless you rummage for them in one of the disposal bins behind the Zehrs or the Loblaws, looking for the discards, because that's what poor people have to do. That's what people on social assistance have to do. That's what this government has imposed upon people and forced them to do: rummage through disposal bins for spoiled food, mouldy bread, green wieners and bologna.

So you want to talk about justice for kids? Roll back the 22% cut you made to social assistance and pay back the over 16% loss in consuming power that social assistance recipients have suffered as a result of cost of living over the last seven years.

Politicians, legislators in this assembly, had no qualms about increasing their salaries by 36%. They greased it up and slid it through. The government wanted to cut a deal, so it was done with no debate in the silence of the night when the press gallery was gone and maybe nobody would know, like thieves in a darkened alleyway. Members of this assembly had no qualms about increasing their salaries by 36%, and similarly appeared to have no qualms about slashing the poorest people's incomes by almost 40%.

You want justice for kids? Restore social assistance rates. You want fairness for abandoned moms and their children? Give them access to the courts; give them access to adequate counsel.

Let me talk about the committee. I know the government House leader was all anxious—boy, he was hopping around and bouncing around. He wanted no

more debate on this bill. For the life of me, why shouldn't members be able to debate a bill? That's what we do. This bill has to go to committee. Oh, it doesn't have to. I suppose the government can make sure that it doesn't see the light of a committee room. I understand that. They've got a majority. They're not gung-ho about committees to begin with. They think sending something to committee for an hour, hour and a half, is what cuts it. It doesn't.

This bill has got to go to committee, I put to you, for at least three days: two days of public comments, one day of clause-by-clause consideration. Take three afternoons here at Queen's Park while the House is sitting. I think it's incredibly important that people with expertise and practical experience, real-life experience—because once again, I want to tell you that reciprocal enforcement and maintenance orders legislation has existed in this province since 1948. The last major revision was 1993 and then an amendment in 1997. Let this bill see the light of a committee room. Let it see the light of day. Let people with expertise and experience in the practice of family law and in the enforcement of maintenance orders speak to the bill in committee.

Let's also have an opportunity to drill and grill this Attorney General about the role of the Family Responsibility Office. Don't forget, enforcement orders, support orders that come from out of province, out of jurisdiction—the United States, Costa Rica etc, British Columbia, Winnipeg, Manitoba, what have you—and arrive here get sent to the Family Responsibility Office, don't they? Don't forget, you guys have been mismanaging the Family Responsibility Office for darn near seven years now—"you guys," to wit, meaning the Conservatives—and no real effort to fix it up. They were prepared to pretend it wasn't happening day after day in question period.

1750

Let's remember this: that support order that's coming into Ontario from beyond Ontario borders is being sent to our Family Responsibility Office. That Family Responsibility Office, because of its ongoing level of understaffing, under-training and overloading, can't begin and hasn't been able to deal with support orders here in the province of Ontario, never mind extrajurisdictional support orders. So I think it rather important that we have the minister, and now, more importantly, the minister of social services—because remember, they dumped the Family Responsibility Office on to the Minister of Community and Social Services, whatever his new name or her new name happens to be. I think it's important that we get those people in there, because all the extra-jurisdictional support orders filed in Ontario don't mean squat if the FRO isn't of capacity to handle them and to ensure that the payments get made.

My time is coming to an end, isn't it, Speaker? You've been very patient with me. I appreciate the lively manner, the animated manner with which you've heard me out. I find that inspiring, because sometimes I'm sitting here and I'm talking and the Speaker is drifting off, he's

nodding off, and the chin hits the chest and the eyelids start to droop, and I find that very frustrating and discouraging because I figure that maybe I'm missing the mark. But you, Speaker, by God, you've acknowledged things I've said, you've been responsive. You have appeared very much to agree with things I've said, although the Speaker, of course, is neutral. But the body language I'm getting is one of encouragement and one of not only acknowledgement but validation—I think that's the word. You've been validating everything I've been saying with your body language. See, it's important to read body language in here, and I've been reading yours for the last hour. Your body language is very supportive and encouraging, and I appreciate that. Some day I may acquire the confidence where I don't need that any more. But at the moment, I think it's very important. I appreciate it. It's a little bit of a crutch that I rely on. But I rely upon you and other colleagues here to give me here the confidence that I need to stand up here, as we will now for week after week.

I'm worried about the legislative agenda, quite frankly. I'm not sure there is going to be much of one. I'm worried about this bill not getting to committee, because, boy oh boy, that House leader was threatening—well, I shouldn't say threatening, because that might be unparliamentary. But he was really, "OK, if you won't let it go through this afternoon, then maybe you won't have any committee hearings." What a stupid approach to things. Something either warrants committee hearings or it doesn't. Don't blame me because we feel compelled to address the issues that accompany a particular bill and say, "Oh, because you spoke to it we won't send it to committee." Come on, what a childish and I suppose petulant approach to things, and irresponsible, quite frankly, at the end of the day.

We're making it quite clear. New Democrats are very much on the record that this has got to go to committee. We need two days of public hearings and a day of clause-by-clause. We need them separated. It will work out perfectly: do Monday and Tuesday public hearings. That will give time for the preparation of amendments and response to the comments being made. But please, make sure it's properly circulated and advertised so that affected, impacted parties—and look, I'm prepared to concede that there may be people coming here one after the other after the other saying that this bill is exactly as it should be and no more redrafting should be done. If that's the case, good. Let it go through the committee, let's get it back here for third reading and let's make it law.

But I think we'd better be prepared to ask some questions, to have the bill examined by people whom it's going to affect; to wit, those lawyers practising. We'd better be prepared to ask some questions of the Attorney General and perhaps the minister of social services about the capacity of the government to give effect to this legislation, and perhaps some questions about the real problem, not being in this legislation, not being law. Because, as I say, we've got legislation since 1948—did

you get that, before you were born—that does effectively the same thing, and it's worked. Nobody has complained about it not working. This is simply an effort flowing from that Premiers' meeting I told you about to harmonize with other jurisdictions so that everybody's singing from the same hymnbook, if you will. Again, as you heard earlier, this harmonization process is one that began, yes, back in the 1980s, although I don't think this particular issue was part of the package there, but the harmonization around business corporation stuff was and around a whole pile of things, basically free trade within the boundaries of the country etc.

New Democrats are voting for this bill. New Democrats sure are speaking to this bill. New Democrats insist that this bill go to committee, that it have an appropriate period of time in committee, that it be amended to comply with valid criticisms and objections that are presented at committee and bring the bill back for third reading. Let's get it passed into law. Stop dawdling. You've dawdled since you introduced the bill in November last year. You did nothing about it. Nothing, zero, zip, nada. Nothing. Let's get moving. I say to the government, get rolling. Let's get this into committee and back for third.

## ADJOURNMENT DEBATE

**The Acting Speaker (Mr Michael A. Brown):** It being 6 of the clock, pursuant to standing order 37, the question that this House do now adjourn is deemed to be made. The member for Windsor West has given notice of her dissatisfaction with the answer to a question given today by the Minister of Health. The member has up to five minutes to debate the matter and the minister or his parliamentary assistant may have up to five minutes to reply.

## MAGNETIC RESONANCE IMAGING

**Mrs Sandra Pupatello (Windsor West):** I'm very pleased to have this opportunity to ask the Minister of Health once again to answer the question. The question we put to the Minister of Health today has to do with private MRIs, which this minister announced on July 8, and in that announcement he said there would be 20 MRIs privately run and that he was going to institute a process for a request for proposal to bring these private companies on stream.

He was asked a hundred questions that day by the press and we found the answers to many of them very disturbing. In particular, he was asked if people would be able to pay cash. The answer was yes. There are a number of things that came out of that announcement. For example, would people able to go to the private clinics for things that are not considered medically necessary? The answer was yes.

**Interjection:** Pretty scary.

**Mrs Pupatello:** It's terrible. The outcome of course, we realized on our side of the House, is that this would



mean that people would be able to jump the queue. We have a tremendous amount of difficulty with the ideology that is driving the notion of introducing private MRIs in Ontario. The question was then put to me a few days later, "If Tie Domi and I are sitting in a waiting room waiting for an MRI and I need the MRI more than he does, are you telling me that I'm actually going to get in before Tie Domi?" The answer is a resounding yes. In our way of thinking, people get medically necessary services on a needs basis. The people who need the services the most should get the services first.

This is what this minister and the Harris-Eves government are throwing right out the window. As soon as you introduce another payer, people being able to come in and pay cash for those services, it is that one rule that would allow private clinics to make more money. Unless these private clinics operate with a different set of rules than our publicly funded system, the only way they can make money is if they have a different set of rules. We want to know what those rules are. At estimates committee last week, this minister acknowledged under questioning that in fact he would be considering giving capital dollars to these private companies for the equipment. This is a huge departure for the government to be moving toward.

This is what I showed the minister in the House today: a list of 18 hospitals across Ontario, those that have raised money to purchase the equipment. These are hospitals that have put their proposals forward, who want MRIs today. These are hospitals that are waiting for approval and have not been granted that approval. But this minister is prepared to institute a whole new process to deal with the private sector instead of those hospitals that have already raised the money from the community for their purchase, and he will not move forward on these.

We sat at committee, and members from the Conservative Party sat at that committee with us and they asked the Minister of Health, "When is my hospital getting its MRI? We've already raised the money." On behalf of those backbenchers on the government side, I ask the minister, when are you going to give approvals to the 18 hospitals that are already requesting it? We have a dire need for this in our province.

**1800**

This minister is also the one who did not acknowledge the fact that there are waiting lists for all kinds of diagnostics in Ontario, but in particular MRIs and CTs. This government will stand up and talk about how much money they're putting in to increase operating funds, etc. The reality is that while you want to say you're increasing health dollars in our system, ask the people on the street, ask the people in your neighbourhood if health care is better today than it was eight years ago when Harris-Eves took over. Is it a better health care system today? You will realize it is a resounding no. The discussion around private MRI clinics in particular just puts more fear in the public mind. Will that senior who needs the MRI have the cash to move through the system

quickly, because that's what it would take to move ahead quickly under this government's notion.

I guess what's most important is—and I ask the minister again—tell me that you are not going strictly on ideological grounds, that you actually have evidence that this system would work. Prove to us that this is a better system. The only evidence that exists today in Ontario suggests that it will not work. Every other jurisdiction has told us it simply won't work. So I ask the Minister of Health again; prove to us that private MRIs are the way to go, prove to us that you will not break the Canada Health Act by introducing them into our system. Instead, we believe you should be funding these MRIs through the public system, in particular the 18 hospitals right across the province that desperately need them.

**The Acting Speaker (Mr Michael A. Brown):** The parliamentary assistant has up to five minutes to respond.

**Mr John O'Toole (Durham):** It is my privilege to stand on behalf of the Minister of Health and Long-Term Care, the Honourable Tony Clement, and associate minister Dan Newman and respond to the member from Windsor West, who I believe did receive an adequate response earlier today during question period, but I think she tries to raise the issue again for the theatre. In fact, she brought the same issue up during the estimates process. I believe she was given a very satisfactory response then.

The member is talking about the improved delivery of MRIs through independent health facilities. As part of this government's \$645-million increase to hospitals, we have committed an additional \$28.3 million to increase the hours of operation of hospital MRI machines. This is an increase of 90%, and I believe it will go a long way to solving the waiting lists that patients might endure.

In more human terms, it is estimated that this announcement means that every year an additional 43,000 patient visits will benefit from this increased access to MRIs. I'm happy to tell you that the government of Ontario, as a result of this infusion, will proceed with plans to provide up to 20 MRI machines and five new computerized tomography scanners—CT scanners. This means that tens of thousands of patients all across the province, many in underserved areas, will benefit from this announcement. It means we will significantly increase the number of MRI machines our government has brought to this province, bringing the total number of funded MRI machines to 63, from 12 machines when we were elected in 1995. This represents an increase of 425% in the number of MRI machines in the province of Ontario. This is more than four times the number of MRI machines the Liberal and NDP governments combined had during their 10 years of, some would say, mismanagement.

It means that patients all across Ontario will soon have improved access to the latest diagnostic tools, available faster with even more reduced waiting times and frustration times and, I might say, closer to home. The new MRI machines and CAT scans will operate through the existing Independent Health Facilities Act—IHFA—

within Ontario's universally acceptable, publicly funded health care system. As you know, there are already close to 1,000 independent health facilities operating in Ontario. This is not news. Since they were introduced in 1989, during the reign of terror—no, the reign of the Liberal government—independent health facilities have provided patients with faster, quicker accessible diagnostic services like X-rays, ultrasounds, within a universal publicly funded system. MRIs, CAT scans are just the next generation of these machines in diagnostic clinics.

For anyone who has ever had an X-ray or an ultrasound, you know that these services are covered by OHIP and available, free of charge, to OHIP-insured patients. You do not pay. In the same way, MRIs and CAT scans and services offered in these facilities will also be covered by OHIP and offered free of charge, and again, you do not pay.

To quote our Minister of Health last week, "Let me be clear, patients will not be permitted to purchase faster access to these important medical services.... If there's any evidence of queue-jumping we will come down hard ... they will lose their licence."

Our responsibility is to ensure that insured health care services are accessible and available to all citizens.

I should also note that buying faster access to MRIs and CAT scans is at odds with the responsibility to

provide comprehensive and equal access to insured health care services. It is against the Canada Health Act and against our own legislation.

By the way, it's not just those of us in this government who are supportive of this idea. Allow me to read what other people have said about our plan to increase the number of MRI machines in this province.

Doctor Elliot Halparin, president of the Ontario Medical Association, whom I have met, said, "It's going to increase access to care." The source is, "Tories Allow 20 MRI Clinics," an article by Jason Tchir in the Toronto Sun.

Doctor Rebecca Peterson, head of radiology at Ottawa Hospital: "There is so much waiting that patients should be happy at this announcement. Any increase in MRI in this area is a boon." The source of this is, "Ontario Approves Private MRI Clinics," an article in the Ottawa Citizen.

Peter O'Brien, vice-president of program support at KGH—

**The Acting Speaker:** Thank you. There being no further matter to debate, I deem the motion to adjourn to carry.

This House stands adjourned until 1:30 of the clock tomorrow afternoon.

*The House adjourned at 1807.*



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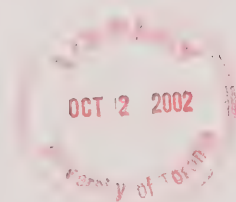
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**Legislative Assembly  
of Ontario**Third Session, 37<sup>th</sup> Parliament**Assemblée législative  
de l'Ontario**Troisième session, 37<sup>e</sup> législature**Official Report  
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Honourable Gary CarrClerk  
Claude L. DesRosiersPrésident  
L'honorable Gary CarrGreffier  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 25 September 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 25 septembre 2002

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### HIGHWAY 69

**Mr Rick Bartolucci (Sudbury):** Here is the news update from MCTV as of 11:40 this morning: "A two vehicle accident on Highway 69 near Still River about nine this morning sent a couple of people to hospital with serious injuries. Police are still investigating the crash between a pickup and a car.... One person was trapped in the wreckage for well over an hour ... An air ambulance was dispatched to the scene" of this head-on collision.

From the Ontario Provincial Police communications centre, "a second accident that occurred about a half-hour ago near the Pickerel River bridge has closed traffic in both directions on Highway 69 ... According to early reports, a woman is trapped in her car with serious head injuries. An air ambulance is just on the scene," and one person has been sent to hospital with serious injuries. "MCTV's Sasha Novak was returning from the first accident and is in the Pickerel area," stuck in the road closure.

When will the Eves government listen to people like Henry and Colette LeBouthillier, who collected more than 4,000 signatures of the 20,000 petition signatures that I will be submitting later on today? When will this government listen to the 6,650 people who logged on to my Web site to sign the electronic petition? When will the Eves government listen to the 9,000 people who have taken bumper stickers that read, "Four-lane Highway 69"?

When will the Eves government listen to the many municipalities, chambers of commerce, labour groups and service clubs from all over the north that are telling you, "It's time"?

When will the Eves government listen to the Crash 69 Committee when they tell you that 46 deaths on Highway 69 between Sudbury and Parry Sound is just too many lives? You have to pave that road. It has to be a four-lane, multi-lane highway, and it has to start today.

The Crash 69 Committee invites the public out this Friday at 11 o'clock at the corner of Pioneer Road and Highway 69 as we launch our next step, our billboard campaign to ensure that this government understands how important four-laning Highway 69 is.

#### HOSPITAL RESTRUCTURING

**Mr Peter Kormos (Niagara Centre):** It's another fine mess this Conservative government has created down in Niagara as a result of the imposition of so-called hospital restructuring. Niagara Health Services finds itself in chaos, dysfunctional from day one, and now board members resigning and senior staff resigning.

One of the solutions to the problem that this government created is passage of my bill, which provides for democratization of hospital governance. It is imperative that this largest single expenditure of public funds have direct public accountability. There is a private member's bill before this Legislature now that will provide for direct election by municipalities in Niagara region to the board of directors of the Niagara health system.

Why is this government so fearful of democracy? Why is this government so fearful of accountability? Democracy and accountability are part of the solutions to the crisis this government has created around health care in Niagara region. Niagara region needs, immediately, some direct assistance, monetary input, into the provision of home care and other services for seniors and it radically needs, dramatically needs, the democratization of governance over its Niagara Health System. That can be achieved by speedy passage of my bill to provide for direct election to the board of governors of the Niagara Health System.

#### NORTH AMERICAN INDIGENOUS GAMES

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** This past summer, 180 athletes from the Six Nations reserve teamed up with other native people across the province to form Team Ontario. They joined in a week of competition, fun and memories at the Indigenous Games.

Close to 6,500 aboriginal athletes and coaches from across North America converged on Winnipeg this year for the largest Indigenous Games ever. Teams vied for gold in 16 events ranging from track and field to boxing, shooting and tae kwon do, as well as traditional sports: archery, canoeing and lacrosse.

While Team Ontario may not have come home with the total team award, our proud athletes represented their people and their province well. Six Nations athletes alone brought back 56 medals, including 31 gold, 17 silver and eight bronze, after competing in 13 of the 16 sporting venues.

Building on their already well-earned reputation as a lacrosse power, Six Nations brought home gold in all three divisions, and Six Nations ball teams earned four gold, two silver and two bronze.

I'd like to mention that on the soccer field, Team Ontario's only entry was a group of young athletes from the remote northern community of Mishkeegogamang. This was their first experience in a large city environment, and they too made it count, taking home third-place honours.

I want to congratulate all our native athletes who took part in the Indigenous Games and thank them proudly for representing not only their communities but our province.

#### CHARLES CETINSKI

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** It's obviously a day for great athletes. It's with a great sense of pride that I rise today to acknowledge and to celebrate the accomplishments of a wonderful friend and a true Ontario hero.

Several years ago, as the result of a tragic plane crash, Charles Cetinski, avid mountain climber and pilot, was left paralyzed from the waist down. Mr Cetinski spent several months in the rehab centre at Chedoke hospital. Always candid, Mr Cetinski had this to say about the centre: "It's a grim place, a terrible place. The people [working] there are great, there's nothing wrong with the personnel — but the place itself has no facilities. That's why I want to create a place to help people get their lives back together and that's why we're going to raise funds for a special new resource centre." That said, Charlie and his friends envisaged a Golden Horseshoe Marathon, a 210-kilometre wheelchair trek between Niagara Falls and Queen's Park. The marathon would raise money to fulfill his dream.

But Charlie wasn't just raising money. More importantly, he was raising awareness, awareness of the positive contribution people with disabilities make every single day to improving the lives of all Ontarians. Charlie puts it well: "Just because you see someone in a chair they are not necessarily handicapped—they just cannot use their legs."

September 19 marked the conclusion of the fourth annual marathon. Amazingly, Mr Cetinski and his wheelchair-bound friend Chuck Mealing broke the world record for consecutive wheelchair marathons, completing 10 back-to-back 42-km events. I'm sure all members of this House will want to join me in congratulating Charlie and his friends. What a phenomenal inspiration they are to all of us.

1340

#### ARTHUR DRUMMOND

**Mr John O'Toole (Durham):** Mr Speaker, I'm sure you'll extend my time as well.

I rise in the House to pay tribute to Clarington's museums and their new exhibit at the Clarke Museum

and Archives. It highlights the work of one of our most notable artists, Arthur A. Drummond.

Arthur Drummond was born in 1891 and was a contemporary of the Group of Seven. The community also remembers him as Orono's bank manager. In fact, young couples in the village were often invited to the artist's home to choose a painting as a wedding gift. His paintings are treasured by many Ontario and Orono residents and families. In fact, local residents have kindly loaned their A.A. Drummond paintings to the exhibit. Although Drummond painted scenes in Muskoka, the Kawarthas and Haliburton, many of the settings are in my riding of Durham.

A.A. Drummond retired from banking in 1937 to become a full-time artist. His career spanned over 63 years. He exhibited throughout his life with respected art organizations in Canada and the United States. In 1930, he was the only Canadian artist to be elected to the American Watercolor Society.

I would like to commend guest curator Mary Loft-house for bringing this show together at the Old Kirby Schoolhouse. Congratulations also to Kirby museum curator Charles Taws, the museum board chair, Julie Cashin-Oster, vice-chair Harold St Croix, the museum board and the many, many volunteers.

The Drummond exhibit opened Sunday, September 22. It runs until November 3, Tuesday to Sunday, at the Clarke Museum and Archives at Kirby, just north of Orono off Highway 35/115. I would encourage all members to attend.

I might add, Mr Speaker, with the time you permit, that there's also an excellent exhibit of the Queen's Jubilee on display here at the Legislature, put on by curator Charles Taws.

#### INTERNATIONAL LANGUAGE PROGRAMS

**Mr Tony Ruprecht (Davenport):** I am glad the Minister of Citizenship is here to hear our condemnation of his unacceptable behaviour yesterday.

Mr Speaker, as you know, our leader, Dalton McGuinty, asked this Minister of Citizenship a question yesterday: if he agreed with the government-appointed auditor who is in the process of killing the international language programs. He should simply have said yes or no if he didn't know a better answer.

Instead, Mr Minister, you said, "I will pass this question on to the Minister of Education." That is really unacceptable. Not only were you providing a disservice to the Minister of Education, who in turn quickly had to consult her book—and guess what. She picked the wrong page. Instead of answering the question in terms of the international language programs, she answered on the English-as-a-second-language program: two separate, different programs—a whole embarrassment to him and an embarrassment to this government.

What we need today is very simple. Every educator knows that kids today need to be ready to compete in the



international environment. To do that, we need to have a better level of education, a better understanding of international programs, especially international language programs. We all know that, except this minister who is authorized to speak on behalf of Ontario newcomers. He's not. What we want is for him to move aside. We want him to move aside because the Liberals can take over and show that the next generation of students will be better prepared for the future to ensure that we in Ontario are competing internationally.

**Hon Carl DeFaria (Minister of Citizenship, minister responsible for seniors):** On a point of order, Mr Speaker: First of all, my friend on the other side should know that's a budget item under the Ministry of Education.

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. Will the minister take his seat. It's not a point of order.

*Interjection.*

**The Speaker:** The minister will take his seat now, please. Thank you.

#### ROBERT HARDIE

**Mr Bob Wood (London West):** On September 20, 2002, I attended a ceremony at the London Health Sciences Centre where Robert Hardie, a researcher in the division of urology, donated \$1 million in support of research into prostate and other urologic cancers. In June of this year, Mr Hardie won the \$10-million jackpot in the Lotto 6/49, and he continues his work at the health sciences centre.

Mr Hardie said in announcing his gift, "As a research team, we are driven by the need to know, to push the boundaries of knowledge that will improve the lives of our patients." Mr Hardie said he enjoyed his work, his colleagues, his patients and their families, and it was important to him to share his good fortune and see that the tradition of excellence continues.

What Mr Hardie has done shows how committed he is both to his community and his work. The donation will support the creation of the Robert Hardie research chair in prostate and other urologic cancers. The scientists to be recruited will further the understanding of the biology of prostate cancer.

At the same time, Dr Joseph Chin, chief of urology at London Health Sciences Centre, also announced the establishment of the Prostate Cancer Centre. The Prostate Cancer Centre will be a collaboration of physicians, clinicians and researchers from the London Health Sciences Centre, the Lawson Health Research Institute, St Joseph's Health Care and the London Regional Cancer Centre.

I know that all members of the Legislative Assembly will join with me in our heartfelt thanks to Robert Hardie. His dedication and generous gift will go a long way in helping to fight this type of cancer.

#### PREMIER OF ONTARIO

**Mr David Ramsay (Timiskaming-Cochrane):** I used to believe that Ernie Eves looked like a million bucks, but apparently I've been underestimating him, because the financial disclosures from the leadership race show he's not the million-dollar man—oh, no—he's the \$3-million Premier.

Bay Street almost drowned Ernie Eves in a sea of campaign donations, and in return the \$3-million Premier showers his backers in corporate tax cuts.

The \$3-million Premier also hands his wealthy backers private school vouchers to send their kids to Upper Canada College, and the \$3-million Premier lets his rich pals jump to the front of the line when it comes to two-tier health care at MRI clinics. Seniors on fixed incomes are forced to pay skyrocketing hydro rates, thanks to Ernie, but Ernie has hundreds of thousands of dollars to pay for PC party memberships.

The \$3-million Premier bought the Premier's office, no doubt about it, just like another steak at Bigliardi's.

Only Dalton McGuinty has the new plan and the new perspective to earn the Premier's office.

#### JAPANESE CANADIAN CULTURAL CENTRE

**Ms Marilyn Mushinski (Scarborough Centre):** On Monday, with my colleagues Minister Turnbull and Minister Tsubouchi, I was honoured and pleased to honour a worthy beneficiary of the Ontario Trillium Foundation program. The Japanese Canadian Cultural Centre received a total of \$210,000.

This funding has a noble goal, which is to support the JCCC's Nikkei Heritage Centre. The Nikkei Heritage Centre serves as a reminder of the history of the Japanese people in Canada. It commemorates the 125th anniversary of the arrival of the first Japanese immigrants to our nation.

The Ontario government is proud to support the Japanese Canadian Cultural Centre. But government funding for the JCCC would mean nothing without the initiative of its organizers, like Bill Petrick, Sid Ikeda, Martin Kobayashi, Jim Ura, Russ Takashima, Gary Kowaguchi, Steve Oikawa and Connie Sugiyama, who have the drive to build a monument to their heritage. Thank you for your indispensable contribution to the Toronto and Scarborough community particularly and to the province of Ontario. I hope that Monday's announcement proves that your hard work has not gone unnoticed.

Minister Turnbull, Minister Tsubouchi, I and all of my colleagues respect the legacy of the generations of Japanese Canadians who have contributed and continue to contribute to Canadian life.

As a representative for Scarborough, I am proud to support the JCCC's initiatives. These initiatives make our neighbourhoods that much richer.

## VISITORS

**Mr Michael Gravelle (Thunder Bay-Superior North):** On a point of order, Mr Speaker: I want to take the opportunity to welcome some very special guests we have today from Schreiber, Ontario. If I may introduce Mayor Bob Krause of the township of Schreiber; Councillor Peter Doig; Neil Tremblay, township superintendent and chief building official; and Marshall Tannahill, economic development coordinator. Welcome. It's a great community in my riding. I'm very proud to have them here.

**The Speaker (Hon Gary Carr):** We welcome our honoured guests.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: I'm pleased to introduce to this Legislature some visitors from the city of Creazzo, Italy, in the province of Vicenza. We have with us Mr Alberto Tomasi, who is an oft-awarded and acknowledged chef in Italy; his wife, Giovana Tomasi; and their friend Vittorio Pretto. They're accompanied by their host here in Canada, Bianca Rossetto from Thorold, Ontario, in the riding of Niagara Centre.

**The Speaker:** We welcome our honoured guests.

While we're welcoming people, in the Speaker's gallery you will note that we have the new legislative interns for the year 2002-03. Please join me in welcoming our special guests as well.

1350

## REPORTS BY COMMITTEES

STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

**The Speaker (Hon Gary Carr):** I beg to inform the House that today the Clerk received the fourth report of the standing committee on government agencies.

Pursuant to standing order 106(e), the report is deemed to be adopted by the House.

## INTRODUCTION OF BILLS

SOLICITORS AMENDMENT ACT  
(CONTINGENCY FEE AGREEMENTS), 2002LOI DE 2002 MODIFIANT LA LOI  
SUR LES PROCUREURS  
(ENTENTES SUR DES  
HONORAIRES CONDITIONNELS)

Mr Bryant moved first reading of the following bill:

Bill 178, An Act to amend the Solicitors Act to permit and to regulate contingency fee agreements / Projet de loi 178, Loi modifiant la Loi sur les procureurs pour permettre et réglementer les ententes sur des honoraires conditionnels.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Michael Bryant (St Paul's):** The bill amends the Solicitors Act to legalize and regulate contingency fees in the province of Ontario. It amends an initial bill as a result of the findings of the Ontario Court of Appeal, which will not be appealed to the Supreme Court of Canada, as has been indicated by the Attorney General, and the latest recommendations from the working committee on point from the Law Society of Upper Canada. It reflects those changes herein and the regulations will be made in consultation with the law society.

## GOVERNMENT EFFICIENCY ACT, 2002

LOI DE 2002 SUR  
L'EFFICIENCE DU GOUVERNEMENT

Mr Flaherty moved first reading of the following bill:

Bill 179, An Act to promote government efficiency and to improve services to taxpayers by amending or repealing certain Acts and by enacting one new Act / Projet de loi 179, Loi visant à favoriser l'efficacité du gouvernement et à améliorer les services aux contribuables en modifiant ou en abrogeant certaines lois et en édictant une nouvelle loi.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

The minister for a short statement?

**Hon Jim Flaherty (Minister of Enterprise, Opportunity and Innovation):** In ministers' statements.

STATEMENTS BY THE MINISTRY  
AND RESPONSES

## GOVERNMENT EFFICIENCY

**Hon Jim Flaherty (Minister of Enterprise, Opportunity and Innovation):** Since this government was elected in 1995, Ontario's economy has prospered. In the past seven years, the Ontario government has laid the foundations for this prosperity. We have cut taxes, eliminated the deficit and balanced the budget. We have raised educational standards. We have reduced barriers to business. We have welcomed investments and trade. The result is clear: there are now 955,400 new jobs in Ontario that did not exist in 1995.

It is the fundamental responsibility of the Ministry of Enterprise, Opportunity and Innovation to ensure Ontario's continued economic growth. To achieve this goal, we must constantly ensure that our legislation reflects the changing needs of our society, takes advantage of technological developments, updates outmoded regulations and eliminates unnecessary legislation and regulations.



That is why I am pleased to introduce the Government Efficiency Act, 2002. If passed, this bill would clarify, streamline and update dozens of acts of 15 different ministries. The bill would repeal 15 outdated acts and amend nearly 90 others.

This government has already repealed more than 57 outdated acts, amended more than 200 acts and eliminated more than 1,900 unnecessary regulations since 1995. Much of this stems from the great work of the Red Tape Commission, co-chaired by my honourable colleague Steve Gilchrist, parliamentary assistant to the Minister of Energy and MPP for Scarborough East, and by Mr Frank Sheehan, the former MPP for Lincoln.

The commission has been vigilant in ensuring that outdated, outmoded and unnecessary red tape is eliminated or replaced with thoughtful, needful smart tape. In fact, the commission has been instrumental in organizing the international Red Tape to Smart Tape conference that is taking place right now, this week, in Toronto, with people around the world looking at what Ontario has done in this area of red tape.

Some of the amendments in the bill before the House would ensure that the people of Ontario get better service from their government. Other amendments would enable ministries to streamline their operations for greater efficiency or modernize outdated regulations. Still others would enhance the safety of the people of Ontario. For example, the use of reconditioned air bags being sold or installed in vehicles has been linked with serious injuries. The government is using this bill to prohibit the sale and installation of rebuilt air bags in Ontario.

In many cases we are updating our regulatory framework, but we are also protecting our citizens. Take for example the amendments being made in this bill to various health statutes, including amendments to better deter fraud and go after those who abuse our public health system. The changes include significantly stiffer penalties and a clarification that courts can impose orders that require compensation and/or restitution.

The government is also using this bill to strengthen our commitment to addressing domestic violence, supporting victims and holding abusers accountable. In order to best protect victims, the Domestic Violence Protection Act would be amended to help ensure that this complex piece of legislation is implemented as quickly and effectively as possible.

The government is also using this bill to reflect modern technological advances. The Provincial Offences Act would be amended to allow bail hearings in certain circumstances to be held by means of audio or video technology and to allow search warrants to be issued by fax. Not only would these changes help modernize our justice system, but they would have the added benefit of bringing them in line with amendments made to the Criminal Code of Canada.

I encourage all of you to support this government efficiency legislation.

**Mr Dwight Duncan (Windsor-St Clair):** This is indeed a long and interesting piece of legislation that was

just put in our hands, and we are going to be looking at it very carefully. It's difficult to respond to it in its entirety in five minutes, let alone not having read it, but let's talk about this government's history on red tape and on deregulation.

This government's idea in the past of deregulation has led to the tragedy in Walkerton, it has led to less protection of the public, it has led to the appointment of former cabinet ministers to the board of GO and it has been done in secret by a Red Tape Commission.

Members on this side of the House and indeed members on the government side of the House got to see how other Parliaments in the Commonwealth deal with regulation. It's done in an open session, it's done by elected members and it's done before there's any legislation introduced, where it can be properly studied and not just jammed through. It will be interesting to see if this government uses, yet again, time allocation to shut down debate on a bill that, by the minister's own acknowledgement, affects countless statutes, countless pieces of legislation that affect the governance not only of this province but of charities, of municipalities. We will be circulating this to those organizations to get their response about it.

**1400**

The government hailed the deregulation of hydro as something that was good for the consumers of this province. Members on both sides of this House know full well what the impact of their 40% hydro rate increases has been over this summer, and God forbid we should have a cold winter. That was supposed to be an example of how more efficient deregulated markets can serve consumers. We've seen it in water charges, we've seen it in hydro charges, we've seen it in Union Gas charges, a government that's abandoning working families and seniors on fixed incomes in favour of corporate profits for those who've made their leadership campaigns such a lucrative undertaking over the last few months. Long-term care, the deregulation: what effect do all of these things have on our way of life, on our quality of life, and on government's ability to regulate different aspects of it?

My colleague from Toronto Centre-Rosedale just yesterday spoke about the need for better regulation of the investment industry in Ontario. We've yet to hear from the government on that. Hopefully there is something in here that will protect average investors, who are working people, who have pension plans, who have been so burned over the last few years—many of us in this House, in fact.

And what about their deregulation on the number of baths that senior citizens can get in our long-term-care facilities? Was that an example of government efficiency? Was that their idea of saving money and providing for a stronger economy? We say, and my leader, Dalton McGuinty, says, that they have no vision of how government should work. They certainly have no idea of the compensation between efficiency of dollars and the need to protect the people of this province. They've abandoned it on so many other occasions that we

suspect—indeed, we believe—there will be parts of this bill that will be so offensive that we couldn't possibly support them. We'll see if they're prepared to go to committee and take amendments. We'll see if this new breed of Conservative doesn't want to use time allocation the way they have in the past.

Dalton McGuinty and the Ontario Liberals will stand up for those seniors who have had their baths taken away in long-term-care facilities. Dalton McGuinty and the Ontario Liberals say that your plans for deregulation of Hydro have hurt the most vulnerable people in our society. Dalton McGuinty and the Ontario Liberals will protect consumers, protect average Ontarians, and put the interests of average people ahead of the big corporate interests that have so steadfastly supported the party opposite.

This is not about government efficiency; this is about saving money for their friends. We look forward to parsing this bill line by line by line. And we'll change the rules of this House to do what most other jurisdictions in the Commonwealth do; that is, public scrutiny, by elected members, of regulations before they're brought in. A shameful record on that government's part.

**Mr Tony Martin (Sault Ste Marie):** Again we have before us another of the government's tactic in this House over the last seven or eight years, which is to take everything that they want to dump or impose on the people of Ontario and wrap it up in an omnibus bill, deliver it here, allow us some very minimal and modest opportunity to speak to it, to look into it, to do research, to see what impact it would have on the people of this province, and then to bring a time allocation motion in, usually on a Wednesday afternoon, when the member for Nickel Belt and myself are here, ram it through by Thursday, and then it becomes the law of the land, only to discover a week or two later the real impact, the real effect of its damage on the everyday life, the public life of the people of this province.

The people who have to deliver education in this province are only too aware, remember only too well the imposition of the omnibus bill that imposed on them control from the centre that has made the delivery of education in this province nothing but chaos and a travesty: a school system that was built up over years by different stripes of government, in one fell swoop with an omnibus bill through this House imposed on all those good people who work in education, destroyed the system and set people against each other, and continues to do that to this day. Anybody who has children in the elementary or secondary school in this province knows this only too well.

The megacity omnibus bill: Mr Prue, the member who was elected from Toronto, who was the mayor of East York at the time, tells us that the impact of that omnibus bill on the municipality of Toronto and those municipalities that were amalgamated has been drastic, has been very, very difficult. We still don't know the result, the cost of all that, not only financially but to the lives of

individuals who live in those communities and to the institutions that try to deliver services.

We'll be asking for a prolonged and long debate on this bill. We'll want time to get into it in some detail to find out what the Trojan horse is holding this time and to give effective opposition and critique to it so that everybody out there, at the end of the day, when this government ultimately rams it through, as they will—because that's their approach to getting legislation through this place; that's their understanding of how democracy works now in Ontario. They'll come in here and ram it through. We'll have told them, by the way, that we will drag this out, ask for hearings, ask for full debate, ask for committees, ask to travel across the province, that the people of this province will understand what it means and whom it's affecting and who is imposing it on them.

We don't have to look very far to understand the effect of the agenda of this government on different parts of our province, whether it be groups of people, geographic areas or organizations.

Up in northern Ontario, those of us who are struggling with an economy that has gone into serious recession know that this government in one fell swoop, over a period of a year or so, got rid of those vehicles that governments of various stripes, Tory, Liberal and New Democrat, put in place to deal with the cyclical nature of the economy up there: NODC, the Northern Ontario Development Corp—gone; NOTC, the Northern Ontario Transportation Commission—on its last legs, soon to be gone; NOHFC—its terms of reference changed so badly that nobody can qualify to apply for it any more, never mind that the private sector, the engine that, so said by the government, will drive the recovery and the economy, has been changed so that the private sector cannot even apply. The Ministry of Northern Development and Mines has been hollowed out. The Ministry of Natural Resources has been shrunk to a point where they can't do their job any more. Just look at last week, when we discovered that Brascan, up in northern Ontario, drained a whole lake. The Ministry of Natural Resources didn't have the resources to go in and check that out. If you try to add an inch to the end of your dock, they'll be there tomorrow, but they don't have the resources and the government doesn't have the political will to send them in to check up on their friends at Brascan when they drain a whole lake.

This is the kind of damage that the agenda of this government is imposing upon this province, not to speak of Walkerton, where seven people died; not to speak of the fact that Dudley George was killed while trying to clear up this government's attempt to clear out a park; not to speak of the fact that Kimberly Rogers passed away in Sudbury a year ago, and that Joshua Fleuelling, trying to find a hospital to get into, passed away in the back of an ambulance. This is the kind of thing; this is the kind of result we can expect from this government.

We're concerned that this new omnibus bill will have that kind of effect on this province as well.



1410

## ORAL QUESTIONS

## BIRTH CERTIFICATES

**Mr Bruce Crozier (Essex):** My question is for the Minister of Business and Consumer Services. September 11 last year was supposed to be a wake-up call. When Dalton McGuinty raised questions with serious concerns about loopholes in the process to get birth certificates, the government promised to fix it. In fact, just last year your predecessor assured members of this House and the people of Ontario that the system was more secure than ever and that all the holes had been plugged. But they haven't.

We've confirmed with police that blank birth certificates and an unknown amount of personal information were stolen from a Brampton land registry office in June. At least 500 blank certificates have been recovered through three police search warrants.

How did you allow this to happen, and, in light of this information, can you tell me how it was that we were assured last year that birth certificates are safe and secure when they surely are not?

**Hon Tim Hudak (Minister of Consumer and Business Services):** I appreciate the question from the member opposite. I can say with confidence that we have increased the safety and security of the birth certificates within the system—my predecessor, Minister Sterling, followed by myself—including increasing the information required by the applicant, including shared secrets. We've launched a campaign to alert consumers about the risks of identity theft, to take care of their own birth certificates, requiring lost or stolen birth certificates to be reported to the government and limiting the amount of documents that can be used as proof of citizenship.

The member has been right. There was a story in the paper some time ago that we've been working with the Peel regional police with respect to some missing documents at the land registry office. We've worked very closely with the police. I think if you ask the Peel police, you'll be very satisfied with the response the ministry has had to clear up the issue.

**Mr Crozier:** We have, in fact, asked the police. For weeks, though, ministry staff were telling the public and members of this Legislature that the service problems were due to a computer glitch.

You've been covering up that truth. Now you've failed to give us any concrete evidence of how you're going to protect the security of birth certificates. There's been another breach of security. Clearly, this is a massive breach, and clearly, you are responsible. When approximately 300 birth certificates disappeared from an office in Toronto 10 years ago, Mike Harris asked the minister of the day to step down.

You've allowed false statements to be fed to the media, to MPPs and members of the general public. How do you defend these actions, and why should we trust you to fix this problem when you haven't acted so far?

**Hon Mr Hudak:** The government has acted in the past, we continue to act today and we'll continue to act in the future to ensure that essential documents like birth certificates and others are kept very secure. In fact, I think we have a great record to be proud of. We'll continue to be proud of that into the future.

As I mentioned, when alerted by police about that particular incident, we acted immediately. I think you'll find that the police are quite satisfied with the response of the ministry. We will continue to work to make sure that essential documents like birth certificates are kept high-security and that we won't have any incidents like that in the future.

**Mr Crozier:** Your high security isn't much, and you didn't act immediately. A fraudulent birth certificate, frankly, is a criminal's ticket for a free ride. With a birth certificate, you can get a driver's licence, you can get a health card, you can access welfare and the health system and, most importantly, it helps you get a passport. With blank certificates in hand, all that a criminal would need to forge one and in fact get a false identity is to have a typewriter.

You know all of this, and yet when the documents were stolen right from beneath your nose, you didn't do anything to begin reviewing your systems until an OPP officer called and said they had someone in custody.

Why did you wait two and a half months after the theft was reported to start an internal investigation on the security of these blank birth certificates?

**Hon Mr Hudak:** As I said, the ministry had co-operated fully with the police in terms of making sure that information was supplied and to make sure we notified—as is common; some of the new rules we brought in—if there are missing numbers out of there, we communicate those numbers to other areas so that those birth certificates cannot be used to assume a false identification.

Identity theft is something we take very seriously in the ministry. We act to shut that down, with the changes the previous minister brought in and that we continue to enforce. If there's a lost or stolen birth certificate, those numbers are shut down so they can't use those to get other pieces of ID and to assume identities.

## SPECIAL EDUCATION

**Mrs Marie Bountrogianni (Hamilton Mountain):** My question is for the Minister of Education. I have a letter by a board official responding on behalf of your supervisor which shows that the most vulnerable schoolchildren in the Hamilton public board are denied access to timely assessments. Specifically, the \$274,000 in one-time funding to support intensive assessments has not been allocated by your appointed supervisor. Why is your hand-picked supervisor denying the most vulnerable

students in the board immediate access to funds for these professional assessments?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** On the issues of special education and assessment, our government has moved forward in a way to ensure that all the children in the province who need special help can receive the additional support that is necessary. I am sure the supervisor will be moving forward in a way that is responding to the direction he is being given by the staff of the board.

**Mrs Bountrogianni:** This supervisor is the same person your government hired to cut the budget for Hamilton CCACs, which led to the loss of home care for hundreds of disabled and senior citizens. You can see why the community is anxious. There's urgency to this particular matter. The deadline for the provincially mandated review of files for 800 high-needs students is coming up in November. This cumbersome paperwork is of your making. The students will simply have to wait to get the help they need.

Minister, I ask you again: why is your provincially appointed supervisor refusing to allocate this \$274,000 immediately to support the neediest students in the community?

**Hon Mrs Witmer:** I can assure you that the comprehensive review of the intensive support amount has resulted in the identification of many children. Certainly, if the money has been allocated and provided, the money will flow to the students as directed.

**Mrs Bountrogianni:** We saw what you did to special education in Ottawa. We won't let you do this in Hamilton. First, you cut the board's budget so that they could not meet the students' needs. You then introduced massive paperwork to access these assessments. Finally, you've appointed a supervisor who refuses to allocate the ministry funds for timely assessments for the most disabled students.

I've worked in this field for 20 years and I know the importance of these assessments for the success of students. If we are judged by how we treat our most vulnerable, your government has failed miserably. On behalf of the most vulnerable and most disabled students in my community, I must demand that you direct your supervisor to allocate these funds immediately.

**Hon Mrs Witmer:** Perhaps I could correct the record on one of the points that was made regarding Ottawa. One of the accomplishments of the supervisor in Ottawa—and you raised the issue, I would say to the member—is that it was the supervisor in Ottawa who actually lifted the hiring freeze on teachers, and there were about 150 additional teachers hired in Ottawa. That includes special education teachers who also are part of that 150. So I think it's time to make sure we don't confuse fact with fiction.

I would also quote from a comment you made at one time about our funding formula. You identified the fact that our funding formula is good because it's the first time we've "mandated special services, psychologists, social workers and speech and language pathologists."

Then you went on to say, "I applaud the government for that."

I can assure you that we will continue to meet the needs of special education students in Ontario.

1420

## HYDRO RATES

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Energy. Earlier this week, the Premier said he was not concerned about sky-high electricity bills. He tried to say that the problem was merely a hot summer.

Well, today the Independent Market Operator says that it's the Premier who's full of hot air, that in fact the electricity shortages are going to continue into the fall and that consumers across Ontario—farmers, homeowners and businesses—will continue to pay through the nose for electricity.

Admit the obvious, Minister. The problem isn't a hot summer. The problem is your government's scheme to privatize and deregulate our hydro. On behalf of consumers of electricity, will you commit now to cancel your disastrous strategy of privatizing and deregulating our electricity?

**Hon John R. Baird (Minister of Energy, minister responsible for francophone affairs):** I read the Independent Electricity Market Operator's report and their 18-month outlook, and it says, "The energy production capacity is generally expected to be well above energy demand levels in each month of the outlook period." About the reference resource scenario and the delayed resource scenario: "No additional energy is expected to be needed to meet the Ontario forecast energy demand." Maybe he should read the full report.

**Mr Hampton:** This is the summary of it: coverage in the Toronto Star, "Power Shortage to Continue"; coverage in the National Post, "Electricity Supply Trouble"; coverage in the Globe and Mail, "Ontario Power Prices Rival Rates Set in US."

Minister, it also says that if you continue down the road with hydro privatization, you are going to put Ontario consumers in a more and more vulnerable position, a position where people are vulnerable to the Enron-style rip-offs we saw in California.

Just a simple commitment from you: on behalf of the consumers of Ontario, will you commit not to sell off any more of our hydro generating stations?

**Hon Mr Baird:** My job as Minister of Energy is that I've actually got to read the report. I can't just read the Globe and Mail and the National Post and the Toronto Star. You actually have to read the report. I suggest to the member opposite that he do that.

One of the things we're tremendously committed to doing is to decontrol; that is to say, the Ontario Power Generation Corp shouldn't have the market power it now has to set prices. That's why we're following a process of decontrol. If he's suggesting that isn't a good idea, I suspect once again that he'd be alone.



**Mr Hampton:** Minister, just read the second paragraph of the Independent Market Operator's release. It's very clear that reserve levels—in other words, the levels to protect Ontario consumers from price rip-offs—are going to be below the Independent Market Operator's standard. What he's saying is that you're exposing more consumers across this province to hydro rip-offs.

Now, you may think that's a joke, but I'll tell you, industries, businesses, farmers and consumers don't think it's a funny joke when they're paying double the price for hydro. Seniors living on fixed incomes don't think it's a joke when the hydro bill doubles but the pension cheque doesn't.

You're looking after your Bay Street friends. You're looking after them tremendously. Will you do something for the consumers of Ontario besides just sticking it to them?

**Mr Baird:** I think if you check the report, the word "rip-off" isn't a word that's used in the report. As minister, I take the concerns outlined in the Independent Electricity Market Operator's latest forecast about reserves quite seriously. It's something obviously we're working on with respect to building new generation facilities in the province of Ontario. We have seen a good number of new generation facilities come on-line. To date, we've seen another \$180 million in new investment in the waterpower industry, where nine waterpower projects are currently being built. We see new generation capacity being brought on-line in Sarnia. We see new generation power being brought on-line in Windsor.

If I read the report—he's read the newspaper and the press release; I suggest he read the report—it says, and I'll read it again for the member, "The energy production capacity is generally expected to be well above energy demand."

#### AFFORDABLE HOUSING

**Mr Howard Hampton (Kenora-Rainy River):** My question is to the Deputy Premier. I would say to the Deputy Premier, yesterday was a very shameful day in Ontario. It was a shameful day because in effect homeless people, some of the poorest, most vulnerable people in this province, essentially had the police sent out to round them up. Your government's way of dealing with a social problem is simply to send in the police and turn them out.

Minister, it's pretty clear that there is a big problem growing, that there is not enough affordable housing, not in this city, not in many other cities. We have put forward a plan that would allow us to build not only 8,000 units of affordable housing each year, but 2,800 units of supportive housing for people who need a hand up. What is your plan for affordable housing, or do you have a plan for affordable housing in this province? Or do you just send in the police?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I'm going to refer that to the Minister of Municipal Affairs and Housing.

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** I think yesterday's events are tragic in the sense that a lot of people need shelter, need all kinds of assistance. I know the city of Toronto is working on that with their agencies, and the province of Ontario, as you heard yesterday, is there to support with the homeless shelters.

In terms of the housing policy, there is good news. More than at any time in history, most people are into home ownership. There are more vacancies coming on-line; 40% of condos are rented. Clearly, you're talking about the affordable end.

*Interjections.*

**Hon Mr Hodgson:** I'm just telling you the facts and the history. If you don't want to hear the good news, if you want to concentrate on the bad news—

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. The minister has the floor.

**Hon Mr Hodgson:** I'm trying to point out that there is some good news happening in the housing industry itself. We have record numbers of people being able to buy their first home. That's good news. There's still a problem with affordable rents at the low end. Quite frankly, it's because of past policies, where we killed the market.

We're also planning to implement the federal program. For the first time in 10 years, the federal government has put forward dollars for an affordable housing program. We're going to participate in that and roll that out this fall. There's also assistance for rent-geared-to-income subsidies, which in August, if you have been following it—

**The Speaker:** The minister's time is up. Supplementary?

**Mr Michael Prue (Beaches-East York):** Minister, quite frankly the policies of your government surrounding housing and a great many other things are quite shameful. Your first act as a government was to slash welfare. Your second act was to deregulate housing so that today in Toronto it costs about \$2,500 a year more to live in an apartment than it did when your government deregulated housing. It's been a windfall for the landlords.

You've refused to increase ODSP for some of our most vulnerable and disabled citizens. The streets are meaner. The streets are full of desperate people. We have tent cities not only in Toronto, but under literally every bridge and every overpass and in every ravine in every town in this province. You have watched and you have done nothing but let your friends grow richer.

We talked to you and we gave you a copy of our urban vision some months ago, and you commented that it was a good vision and that you appreciated the fact that we put it on paper. Having read it now, will you give money from the land transfer tax to the municipalities to build co-ops and non-profits? We're asking you right now, will you implement the provisions that we gave you some months ago?

**Hon Mr Hodgson:** Just for the record, you talked about things that have happened to drive up the cost of rent. Probably the most atrocious thing to happen was what you voted for on council, to raise the taxes paid—

*Interjection.*

**Hon Mr Hodgson:** I can read the resolution for you. That translates into about \$200 on average for every tenant in this city, when you wanted to raise the property taxes for multi-residential four and a half times higher than for residential condos. That had the biggest impact.

The second thing we're not going to do is go back to the failed policies of past governments. The auditor talked about a billion-dollar boondoggle. No government of any responsible partisan flavour wants to go back to that. The federal Liberals don't want to own the mortgages and have government doing that; the provinces don't want to do it. But we do want to assist in having more affordable housing built on the supply side, and that's what we're doing.

1430

#### HYDRO RATES

**Mr Michael Bryant (St Paul's):** My question is to the Minister of Energy. It's not just residents, Minister, who are livid at receiving unaffordable electricity bills; it's also businesses that employ Ontarians and drive our economy, businesses like Dubreuil Forest Products, who wrote their great MPP, Mike Brown, to say that their hydro bill this summer went up not 40%, not 80%, but 110%. This general manager said, "We cannot afford this type of additional increase and expect to survive." This is 500 jobs in this community. This is the community employer. Thousands of jobs are imperilled across this province because of your evisceration of energy policy in Ontario. What do you say to these people who want answers from their government and want to know how you're going to fix it?

**Hon John R. Baird (Minister of Energy, minister responsible for francophone affairs):** We realize we can't run an Ontario Hydro system like we did back in the early part of the 20th century. We realize you've got to change with the times. We realize that the \$38-billion debt run up by the former Ontario Hydro, a debt every single individual in the province of Ontario is responsible for to the tune of \$3,000, every family to the tune of more than \$10,000, was unacceptable. Indeed, we could not continue along that route.

We did see this summer the hottest summer on record in 50 years, in half a century. That put a huge demand on the system. That's why we're working very hard to bring additional generation on-line. We've seen a good number of wind-power projects on-line around the province. We've seen new investments in construction in Sarnia, in Windsor and indeed in many other parts of the province of Ontario. We can do a lot, but we can't control the temperature of the environment.

**Mr Bryant:** So let me get this straight. Last spring you were blaming your appointment, Eleanor Clitheroe,

for energy problems. Earlier this week you were blaming your appointment, the former NDP finance minister, Floyd Laughren, for your problems. Now you're blaming Mother Nature for your problems. You know what? Mother Nature is not the Minister of Energy. Mother Nature wasn't elected to represent and answer to the people of Ontario about skyrocketing prices.

I say to you, it is the government's failure to get electricity supply on-line after seven long years in power. I say to you, it is your radioactive blunder in failing to get Pickering up and running on time. I say to you, it is your absolute shipwreck of electricity transmission which has left investors not wanting to come into Ontario. As a result, we have artificial inflation of hydro prices, which means that it's not Mother Nature, it's not Mother Teresa: you are to blame for electricity prices going up. Ontarians want to know, when are you going to stop blaming everybody from Mother Nature to Mother Teresa, account to the people of Ontario and tell them how you're going to fix the problem?

**Hon Mr Baird:** A rather colourful question from the member opposite. Let's look at two quotes from two respected individuals. I read in the *Hamilton Spectator*: "Tom Adams, head of the lobby and watchdog group Energy Probe, argues that the system is 'tired' and that once needed repairs are done and capacity is back on stream, prices should come down."

I read in the *Globe and Mail* today: "Jonathan Dickman-Wilkes, a consultant with Navigant"—a Toronto energy consulting firm—"cautioned that it is still too early to give an accurate prediction on the direction of Ontario's electricity rates and that a full year might be required to get an indication of the market price for power."

I don't know where the Liberals stand on this issue. When we brought in an open market, they voted for Bill 35 on second reading, which is reading in principle, but by third reading the Liberals under Dalton McGuinty had flip-flopped again and they changed their minds one more time.

#### POST-SECONDARY EDUCATION

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** My question is for the Minister of Training, Colleges and Universities. Minister, Ontario's colleges and universities are entering a period of growth. An important part of our government's plan for increased enrolment is expanding the number of spaces available for these new students to learn. Parents and students in my great riding of Bramalea-Gore-Malton-Springdale are very interested in the choices available to them in post-secondary education and the impact that this expansion will have on campuses across Ontario. Minister, can you give this House an update on the SuperBuild program in post-secondary education and the important work being done to prepare our colleges and universities for the new generation of students?



**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** Just to update my colleagues in the House, as well as my colleague who has just asked the question, everyone knows that the plan has been, of course, to expand the number of student spaces, also to expand the number of student aid and student assistance programs.

*Interjections.*

**Hon Mrs Cunningham:** Mr Speaker, I don't know whether I should carry on or not, but you're not standing up.

We have in fact increased our operating grants and we've provided funds, \$337.5 million, to renovate facilities that are already there. So I am pleased to inform this House that the size of the SuperBuild initiative since it first began—it is now larger by far since the House was last in session. We now have some 61 new buildings, \$2.1 billion, and the growth number is from 73,000 spaces to 79,000 spaces. We should take this opportunity, all of us who have been at our own SuperBuild announcements, to thank our colleges and universities for the excellent work they have done.

**Mr Gill:** Thank you, Minister. I do appreciate your sincerity and caring; 79,000 new student spaces is a large number and doesn't even take into account new spaces created by renovations. With 18 universities and 24 colleges in Ontario, many of my constituents and parents across Ontario want to know how this affects their children who are preparing to go to post-secondary institutions. Minister, could you provide the House with specific examples of the type of new post-secondary facilities that are opening across Ontario and tell us what this will mean for students and working families?

**Hon Mrs Cunningham:** Mr Speaker, my colleague from St Catharines added, "How are you doing such a good job?" I will say to both of my colleagues that in fact we have huge leadership with our students, we have huge leadership in our colleges and our universities, and we work together. That's how you get things done.

Just in September this year—in some instances, a year ahead of time—on the 12th the Premier and I were at the University of Ottawa to help open a beautiful new facility. It's called SITE, the new School of Information Technology and Engineering. For the members from Ottawa, I should say from listening to the dean speak and from the number of graduate programs in engineering, they are second to none and are competitive in the world. We should be so very proud.

On the 6th we were at Brock University in St Catharines, creating new spaces for 1,700 new additional students, a great success story for the peninsula. Of course, my colleague from St Catharines was there. We always have a little discussion and introduce each other. That's how you get things done.

In closing, we were at Huron College at the University of Western Ontario. The story goes on. We are ready for the double cohort. We are ready for the number of

students, not only in buildings but operating grants as well.

1440

## SLOT MACHINES

**Mr Monte Kwinter (York Centre):** I have a question for the Attorney General. Minister, I want to return to the matter of the government's relationship to Picov Downs, by far the smallest racetrack in Ontario. Despite their small size, they were very large donors to Jim Flaherty and also to Ernie Eves. As a matter of fact, Jim Flaherty's largest contributor was Picov Downs, with at least \$80,000 worth of contributions. Minister, despite the fact that Picov Downs only generates \$280,000 worth of tax betting, the cabinet gave them the initial go-ahead for slots that could generate \$146 million in revenues and \$14.6 million in annual profits for the operator. Why did such a small track receive initial approval for such a lucrative windfall from your cabinet?

**Hon David Young (Attorney General, minister responsible for native affairs):** I must confess, I'm rather disappointed and somewhat surprised that over the course of the summer the Liberals, who I thought were paying some attention to matters of import to the people of Ontario, had nothing better to do than to try, through a fanciful, imaginary process, to come up with some concerns that they wanted expressed in question period.

I said to you the other day and I say again to you today that there has been no decision made as to how many slots will be placed at that racetrack. What we are doing is following the exact same procedure that was followed with the other 16 tracks that have already received slot machines. Those are racetracks that are located in many of the ridings now represented by Liberal members. It is the exact same procedure.

**Mr Kwinter:** The reason I'm asking the question today is because of your answer yesterday and the answer you just gave now. You are totally either misinformed or you're not paying attention. The truth is that a very important decision was made. If no decision was made, we wouldn't be discussing this. Just so you'll know, Janet Ecker, the member for the region, told the Ajax News Advertiser that Picov Downs has been approved. The cabinet decision said that up to 800 slots could go to Picov Downs, and that information was conveyed to the operators. On March 5, 2002, Jane Holmes, executive director of the Ontario harness horse racing association, wrote to the government saying, "It seems incomprehensible that Picov Downs may be allocated 800 slot machines."

What is happening is this. Absolutely, the decision was taken; otherwise they wouldn't have conveyed it to the operator. I understand that you have asked for it to be reviewed. What I would like to know is, will you share your concerns and share the information with us as to how that decision—

**The Speaker (Hon Gary Carr):** I'm afraid the member's time is up.

**Hon Mr Young:** "Up to 800," means up to 800. It may be one, it may be two, it may be 799. That is not a difficult concept, sir.

*Interjections.*

**The Speaker:** Order. The Attorney General, continue. Sorry for the interruption.

**Hon Mr Young:** I can understand why the Liberal members might have difficulty with this concept. If I may read to you a quote: "I went to Bay Street. I went to Bay Street and took in \$1 million in one night from the business community. We established a national record in terms of the amount of money raised in one event by a provincial party." That was said by Dalton McGuinty, the Liberal leader, on June 27, 2002. Yesterday we hear Dalton McGuinty say, "Anybody who receives that much money, you know, you've got to start asking some questions about whether or not they happen to be beholden to those people who made those contributions." That's the way of the Liberals, and that's why you've come to that erroneous conclusion.

#### VISITOR

**The Speaker (Hon Gary Carr):** Stop the clock for a moment. While we have a quick moment here, joining us in the members' gallery east is the Honourable Doug Lewis, the former cabinet minister from the House of Commons. Please join us in welcoming our honoured guest.

#### URBAN STRATEGY

**Mr Bob Wood (London West):** My question is for the Associate Minister of Municipal Affairs and Housing responsible for urban affairs. The minister is, of course, in the midst of a seven-city tour across the province gathering direct local input in order to develop new ways to help strengthen our cities, and in particular the possibility of special municipal tax programs to attract investment and jobs. The minister is aware of my concern that any initiative build on strength and real opportunities. Does the minister see her mandate as looking for ways to subsidize areas of economic weakness or to find ways to enhance economic strength?

**Hon Tina R. Molinari (Associate Minister of Municipal Affairs and Housing):** I want to thank the member from London West for his question and tell him how delighted I was to include the city of London in my urban tour. As was stated, I am visiting seven urban centres across the province. I've already been to Windsor, London and Hamilton.

I see as my mandate creating an urban strategy that makes sense in all areas. Some areas, like London, are looking to build on the current strength and yet other areas, like Windsor or Hamilton, certainly have different views. I want to quote the mayor of Windsor, Michael Hurst, who said when asked about the tour, "The surest way of advancing everyone's agenda with regard to urban affairs is to sit down at the table, exchange ideas

and put forward practical suggestions for improvement." I couldn't agree more with the mayor.

This government is developing different approaches as there are different municipalities across Ontario; one size doesn't fit all. I'm looking forward to touring the other four cities in Ontario.

**Mr Wood:** I hope that the minister, in crafting solutions, will bear in mind that one solves problems by building on opportunity and strengths. What ideas has the minister heard to date that she sees as promising?

**Hon Mrs Molinari:** In developing a more comprehensive urban strategy, our government's goal is to work with everyone, all the stakeholders in Ontario, and to find some common vision to build strong and vibrant communities and healthy environment.

I'm hearing that greater co-operation between all levels of government and a partnership with the private sector are important. I'm also hearing that we need to continue to work with the federal government and have them come on board. It's pleasing to see that they have finally recognized that the issues of cities are not only a provincial concern but also a federal concern.

I'm pleased to say that today's announcement of the Premier and the Prime Minister to commit a combined \$300 million to improve truck traffic approaching the Windsor-Detroit border is just an example of the beneficial co-operation that is happening now in working together to better the urban cities in the province.

#### LONG-TERM CARE

**Ms Shelley Martel (Nickel Belt):** I have a question for the associate minister of health. Your cancellation of the minimum standards for bathing will make life worse for residents in long-term-care facilities.

The previous regulation, which you cancelled July 31, read, "The nursing staff shall ensure that residents who are confined to bed or who are incontinent shall have a complete bath daily, or more frequently where necessary to maintain cleanliness, and that ambulant residents have a complete bath at least once a week." Your new regulation says, "The nursing staff shall ensure that proper and sufficient care of each resident's body is provided daily to safeguard the residents' health and to maintain personal hygiene." There's no mention of a bath daily or a bath weekly. In fact, there's no mention of a bath at all in your new regulation.

Minister, why did you cancel the minimum standard for baths for residents in long-term-care facilities?

**Hon Dan Newman (Associate Minister of Health and Long-Term Care):** On June 26 this year we committed to review the bathing regulations in this province for each and every long-term-care facility to ensure that the best quality of care is consistently being provided to each and every one of the 61,000 people in long-term-care facilities in our province. In fact we did have that review of the regulations for all long-term-care facilities, and I was pleased to announce on July 31 this year that along with the largest infusion of money into nursing and



personal care, which is \$100 million, we had amended the bathing regulation because we wanted to ensure that our rules and regulations with respect to bathing were indeed clear and consistent, regardless of whether you lived in a nursing home, a charitable home or a municipal home for the aged.

The amended regulation ensures that each and every resident receives the care they need when they need it. Every resident in a long-term-care facility has a plan of care to reflect the individual needs of that patient. Some residents in long-term-care facilities may be mobile while others may be bedridden, but the needs of each resident are different. This regulation reflects that.

**Ms Martel:** The question was, why did you cancel the minimum standards for baths for seniors in long-term-care facilities? The new regulation doesn't even mention the word "bath" at all. I would have thought your government would have learned, after you cancelled the minimum standards of nursing and personal care, that you need better standards, not less.

1450

PricewaterhouseCoopers reported in January 2001 that in comparison to other jurisdictions, seniors in long-term-care facilities in Ontario ranked last—dead last—in terms of nursing care, rehabilitation and care of those who present with behavioural problems. You should have learned from that report, and you should be moving to improve standards, not cancel them. Your most recent move was to cancel even the most minimum of standards for bathing for seniors in long-term-care facilities.

I ask you again: why have you cancelled the minimum standard for bathing for long-term-care residents in long-term-care facilities?

**Hon Mr Newman:** The new regulation is outcome-based. There is a daily requirement to ensure that the proper and sufficient care of each and every resident's body is provided to safeguard the residents' health and to maintain their personal hygiene. That's what the regulation states.

This change indeed reflects our government's commitment to ensure the best quality of care for each and every one of the 61,000 residents in Ontario's long-term-care facilities. We have increased the amount of time for nursing and personal care through that record investment of \$100 million.

But I tell you this: this government will not take a lecture from the NDP when it comes to the provision of long-term-care services in our province. The NDP did nothing—nothing—to add additional beds to the system.

This government has moved ahead to build 20,000 new long-term-care beds across our province, and we've also made that major investment of \$100 million. That's going to ensure that another 2,400 nurses and personal care workers are added to the system, improving the quality of care in all of those long-term-care facilities.

## SLOT MACHINES

**Mr Monte Kwinter (York Centre):** I'd like to go back to the Attorney General. Minister, you keep saying that due process is being followed and everything is being done according to the book. There's no doubt, because it's in the record, that Janet Ecker said when she spoke with the Ajax News Advertiser that Picov Downs has been approved. There is no doubt that a letter was sent to the operators of Picov Downs saying that in fact they had been approved for up to 800 slot machines.

What is happening is that if the procedure was being followed properly, this particular track would have gotten one and a half slot machines. If you compare it to the Windsor Raceway, if you compare it to some of the others, it is outrageous the numbers that they're getting.

Could you tell me why you keep insisting that no decision has been made when your colleague is saying that the decision has been made and when that information has been conveyed to the operator?

**Hon David Young (Attorney General, minister responsible for native affairs):** I'm going to repeat what I said yesterday because I think it's going through the minds of many in this legislative chamber. I am sincerely disappointed that a member with your reputation has stooped to this level. I tell you, sir, that you know well that this government has been consistent in saying that we are prepared to consider slots at Picov Downs after they meet the Ontario Racing Commission licensing requirements, after they develop a business plan supporting a racetrack with slot machines, after they negotiate a revenue-sharing agreement with the province and after they enter into a site-holder agreement with the OLG.

As to the number of slots—

*Interjections.*

**The Speaker (Hon Gary Carr):** Come to order. The member for Hamilton Mountain, come to order, please. Sorry, Attorney General; continue.

**Hon Mr Young:** As to the number of slot machines that will ultimately be placed there, no decision has been made to date.

**Mr Kwinter:** You keep telling me that story, but you don't give me the answer that I'm trying to get. Number one, why did your colleague in cabinet publicly declare that the decision has been approved? Answer that question: why was the operator informed that they would be getting up to 800 slot machines?

It's very, very simple. You either have made the decision or you haven't made the decision. If you haven't made the decision, then why don't you publicly say, "There is no commitment whatsoever to Picov Downs and when we decide that we're going to do it, we will put it out for open competition, we will hear proposals and we will make a decision"? If you're going to say, "We're following procedures," then give them one and a half slot machines.

**Hon Mr Young:** There are 18 racetracks in this province; 15 of them already have slot machines. Each of

those racetracks followed the exact same procedure I have just described.

There is one racetrack, Elora, that has gone through this procedure and is in the midst of construction but has been awarded slots, as long as they fulfill certain requirements. There are two racetracks that don't have slots today. One of them is the Quinte establishment and the other is Picov. Sir, I say to you that the remaining two racetracks will go through the same procedure that the other 16 racetracks have gone through.

### EARLY CHILDHOOD EDUCATION

**Mr Garfield Dunlop (Simcoe North):** My question today is for the Deputy Premier and Minister of Education. With the new school year underway, approximately two million students are back to learning the skills they will need to achieve their goals, both in the classroom and in life. Some of these kids are excelling while other children need extra help. I have spoken with many parents in my community who are anxious to learn about what initiatives this government is undertaking to ensure their children succeed. Can you elaborate on what this government is doing to ensure that children are prepared to succeed in this world?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** Yes, certainly. We have made a considerable amount of investment in recent years into education, into supporting our children in order to ensure that they get the best education possible. I'd like to speak in particular to \$30 million that has been made available for early literacy and math.

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. Sorry. I assure the Deputy Premier I was listening. Sorry for the interruption. You may continue.

**Hon Mrs Witmer:** That's OK. If you were listening and you could hear it, then—

*Interjections.*

**Hon Mrs Witmer:** I was talking about the investment that we've made in our children, particularly in the early years. Our government did invest \$30 million into an early literacy and an early math program.

*Interjections.*

**The Speaker:** The member for York Centre, come to order. It's not helpful shouting across. You've had your time now.

*Interjections.*

**The Speaker:** Come to order, both of you, please. I'm afraid the Deputy Premier's time is up.

**Mr Dunlop:** Thank you very much, Minister. I'm sure that children in my community and across the province will gain a solid foundation as they learn the basics of education: reading and math. Without the proper foundation, success in the classroom is often difficult and limited later in life. We need to work together as parents and as teachers to ensure that today's children leave school with the tools they need to become successful and productive members of our society.

Since this is the first year that all grades from K to 12 are learning the new curriculum, can you enlighten us as to the tools and support teachers and school boards are receiving to carry out this very important initiative?

**Hon Mrs Witmer:** I'll try again, because this is a very important issue. As the member has indicated, we are into a totally new curriculum. It has been important for our government not only to invest in new textbooks and learning materials, but we have also invested money into making sure that we can provide resources and training for our teachers in order that they can teach the new reading and math strategies from grade 1 to 6 that I talked about. So we have given them additional support.

I think when we talk about education we need to keep in mind there are partners: parents, families are very important partners with students and teachers and the government. So we now have a guide for parents entitled *Helping Your Child Learn to Read*, and we're also making one available, *Helping Your Child Learn Math*.

1500

### RURAL EDUCATION FUNDING

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** My question is for the Minister of Education. In my riding there are many small rural schools in remote locations. They provide quality programs for small numbers of children and they are an integral part of the infrastructure of rural Ontario. Your funding formula does not provide the dollars necessary to adequately support many of these schools. In my riding, closing small rural schools is not an option because it means four-year-olds would be on a bus for upwards of three hours a day. The problem is compounded by the fact that the funding formula creates further burdens for boards with declining enrolment.

Rural boards must not close schools and they cannot afford to fix the older ones. The Ministry of Education has indicated to the Hastings and Prince Edward school board that \$17.5 million in deferred maintenance is required, but your funding formula only allows them \$2.5 million. Minister, students in rural Ontario are suffering because of your funding formula. Will you act immediately to assign the dollars your ministry says this board needs? It says it needs \$17.5 million; you're only giving it—

**The Speaker (Hon Gary Carr):** I'm afraid the member's time is up.

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I'm not sure if the member opposite is aware of the fact that we have actually given additional money to respond to the needs of small schools in Ontario. We have remote and rural funding that is intended to meet the unique needs of remote and rural school boards. We have listened and we are providing—in fact, I would just say to the member that remote and rural allocation funding has almost tripled from \$40 million in 1997—

*Interjections.*



**The Speaker:** Sorry again to the Minister of Education. Come to order, please. There are conversations going back and forth. If you want a question, get on the order paper. Minister, sorry for the interruption again.

**Hon Mrs Witmer:** This is an important issue, and I just want to stress that small school allocation funding has more than tripled from \$40 million in 1997 to a projected \$117 million in 2002 and 2003, an increase of 192%.

**Mrs Dombrowsky:** The needs in the schools are immediate; in fact, they are yesterday. The rural and remote grants are not based on actual needs; in fact, they are a mathematical formula. Your funding formula is so inadequate, so skewed, so punitive, that the Hastings and Prince Edward board is forced to consider the unthinkable: closing schools in remote locations or closing the only primary school in the town of Bancroft.

Boards today receive less per student than when your government came to power and created this crisis in education. Our children cannot wait. The needs in our schools are immediate. They are now. They are yesterday. While you are waiting for a report, I am asking you to act to provide school boards with the money they need so that schools don't close and children don't ride buses for three hours.

**Hon Mrs Witmer:** The member obviously doesn't have any recollection of the additional money the government provided in the budget this year to respond to the unique needs of remote and rural communities. I would just say as well that small school allocation funding has more than doubled, from \$26.7 million in 1997 to \$70 million in 2002-03, an increase of 162%. Furthermore, we have asked Dr Rozanski to take a look at the issue of making sure that rural and urban schools have equal access to the same resources for students.

#### ONTARIANS WITH DISABILITIES LEGISLATION

**Ms Marilyn Mushinski (Scarborough Centre):** I have a question for the Minister of Citizenship. I noticed with interest the announcement to proclaim in the Ontario Gazette additional sections of the landmark Ontarians with Disabilities Act. I just wanted you to know, Minister, that there are many individuals in my riding of Scarborough Centre who are—

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. Take your seat. The member for Windsor West and the minister, please. Sorry for the interruption. We've got another conversation going back and forth. I apologize to the member for Scarborough Centre. You may continue.

**Ms Mushinski:** To repeat, I know there are many disabled individuals in my riding of Scarborough Centre who will be affected by this new legislation, Minister. I wonder if you could inform this House what this particular proclamation means for those individuals, as well as for the additional 1.9 million Ontarians who are living with disabilities.

**Hon Carl DeFaria (Minister of Citizenship, minister responsible for seniors):** I appreciate the member's question as it gives me an opportunity to address a very important piece of legislation, the Ontarians with Disabilities Act.

Last December, our government led the way by passing the ODA. This is the first and most comprehensive piece of legislation in Canada that puts persons with disabilities at the forefront of change.

We worked with AMO and other stakeholders on this issue during the summer to prepare the municipalities for the proclamation of the sections. In just about a week, on September 30, most of the sections of the ODA will be proclaimed, and our own government's ministry Internet sites will have accessibility requirements by December 31, 2002.

**Ms Mushinski:** Thank you, Minister, for that response. As you mentioned, this proclamation will indeed bring into law obligations on the part of municipalities and other affected organizations. I wonder if you could further clarify those steps that the government will be taking to ensure that municipalities and the broader public organizations have information and support in implementing these particular changes.

**Hon Mr DeFaria:** I would like to inform the member and the House that municipalities with a population of 10,000 or more will be required to have a municipal accessibility advisory committee in place on September 30 this year, just a week from today.

Additionally, all municipalities and other organizations that are affected will be required to develop an accessibility plan on an annual basis. That also takes place in a week's time. They will have to have those plans in place within a year.

The guidelines the municipalities are required to follow have been developed by our ministry in partnership with the municipalities. I was at the AMO conference and I was very pleased with AMO's reception of our guidelines that they received from us during that conference. Those guidelines will provide all the assistance they need to advise the municipalities.

#### DIAMOND MINE

**Mr Gilles Bisson (Timmins-James Bay):** My question is to the Deputy Premier. My question simply put is this: what does your government want to do or what is it prepared to do to assist the community of Attawapiskat with regard to the De Beers situation?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I'm sorry, I didn't—

**Mr Bisson:** I repeat the question: what are you prepared to do as a government to assist the community of Attawapiskat in order to advance the De Beers project?

**Hon Mrs Witmer:** I will certainly take the question under advisement. We will respond very specifically and, I know, in great detail to the question you've asked, because I can understand that this is an issue that is of obviously grave and personal interest to yourself.

**Mr Bisson:** You see, Madam Minister, the problem is exactly that: the province has been nowhere as the lead on this particular project.

Let me explain what it is: west of Attawapiskat by 70 kilometres, you've got De Beers Canada working at developing a diamond mine, the very first diamond mine ever to be developed here in the province of Ontario. There has been some difficulty with regard to the negotiation of an agreement between the Attawapiskat First Nation and De Beers for the work that would take place this winter.

The community is very clear. At a meeting I attended last Friday with De Beers and the community, the community said, "We're prepared to allow that project to go forward this winter, but it is important that we negotiate an agreement that makes sure the community interests are respected by De Beers Canada."

They are looking to your government to assist them to get De Beers back to the table by this Friday so they can start the process of negotiations to get that project on track. They expect the negotiations to be fruitful, no more than about three weeks, but they need the province to play their role.

My question for you is simple: will the province play their role?

**Hon Mrs Witmer:** As I said before, I know this issue is of personal interest to yourself, and obviously it's of deep interest to people in the community.

We were pleased that De Beers had been attracted to this province. We certainly know that the tax rates in this province were part of what attracted them. I will take this under advisement. I know that Mr Wilson, the minister, is going to be working with all the parties to ensure that there can be a resolution of this issue. We thank you for bringing it to our attention today.

1510

## PETITIONS

### HIGHWAY 69

**Mr Rick Bartolucci (Sudbury):** I'd like to begin the introduction with a 20,000-name petition I have regarding Highway 69. I'd like to start with the 4,205 names which were gathered by Henry and Colette LeBouthillier of Sudbury. This is a petition to the Legislative Assembly of Ontario.

"Whereas modern highways are economic lifelines for the north; and

"Whereas the stretch of Highway 69 from Sudbury south to Parry Sound is a treacherous road with a trail of death and destruction; and

"Whereas the carnage on Highway 69 has been staggering; and

"Whereas the Harris-Eves government has shown gross irresponsibility in not four-laning the stretch of highway between Sudbury and Parry Sound; and

"Whereas immediate action is needed to prevent more needless loss of life; and

"Whereas it is the responsibility of a government to provide safe roads for its citizens, and the Eves government has failed to do so;

"Be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to urge the Eves government to begin construction immediately and four-lane Highway 69 between Sudbury and Parry Sound so that the carnage on Death Road North will cease."

I want to thank Henry and Colette. I affix my signature and give it to Paula to bring to the table.

## LONG-TERM CARE

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the Ontario government abandoned the minimum requirement for 2.25 hours per day of nursing care for seniors in nursing homes; and

"Whereas the Ontario government's own study in January 2001 showed Ontario's long-term-care residents receive less nursing, bathing and general care than elderly people in comparable jurisdictions in Canada, the United States and Europe; and

"Whereas poor management of residents leads to excessive acute care hospital stays and added strain on staffing levels in long-term-care facilities; and

"Whereas Ontario long-term-care residents now receive an average of only 2.04 hours of care per day, well below the level of care of 4.2 hours even the state of Mississippi provides; and

"Whereas US studies have indicated that total nursing care hours for long-term-care residents should be in the range of 4.55 total hours of care per resident per day;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to regulate a minimum requirement of at least 3.5 hours of nursing care per resident per day."

I agree with the petitioners and I've affixed my name to this.

## RENT REGULATION

**Mr David Caplan (Don Valley East):** I have a petition entitled "Fair Rent Increases Now."

"To the Legislative Assembly of Ontario:

"Whereas the number of tenants receiving above-guideline" rent "increases is growing exponentially; and

"Whereas many of these increases are for increases in utility costs, many of which have gone down since; and

"Whereas tenants should not have to pay for improvements forever, even when the costs have been realized by these rent increases; and

"Whereas the Tenant Protection Act does not give a tenant relief due to the costs being realized or a drop in utility costs; and



"Whereas tenants should not be receiving rent increases where there are work orders issued for the building;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to immediately pass MPP David Caplan's Bill 134 entitled the Fair Rent Increases Act at the earliest possible opportunity so that tenants can get relief from above-guideline" rent "increases once the bills have been paid."

I appreciate all the residents who have signed this petition. I support it and I affix my signature to it.

#### ONTARIO NORTHLAND TRANSPORTATION COMMISSION

**Mr Gilles Bisson (Timmins-James Bay):** I have a petition here addressed to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas the Ontario Northland Internal Solutions Group has submitted its reports to the Ontario Northland Transportation Commission respecting the divestiture of the ONTC services; and

"Whereas council for the corporation for the city of North Bay is supportive of having all the ISG avenues fully explored to determine what the new organization can provide on improved services and enhanced economic activity in northeastern Ontario;

"Be it therefore resolved that the corporation of the city of North Bay does hereby petition the Ontario Northland Transportation Commission and the Ministry of Northern Development and Mines to review the plan submitted by the Ontario Northland Internal Solutions Group and give their plan full consideration; and

"Further, that a moratorium be placed on the RFP process of divestiture of ONTel from ONTC services being provided to northern Ontario; and

"Further, that a copy of this resolution be forwarded to the minister, to the Premier, and to the member," being myself.

I must say, Mr Speaker, I have a whole box of these, about 10,000 of them—

**The Acting Speaker (Mr Bert Johnson):** No, you must not say. Further petitions?

#### KIDNEY-PANCREAS TRANSPLANTS

**Mr Steve Peters (Elgin-Middlesex-London):** A petition to the Legislative Assembly of Ontario:

"Whereas many seriously ill diabetics are in need of kidney-pancreas transplantation in southwestern Ontario; and

"Whereas the London Health Sciences Centre currently has on staff physicians and surgeons who specialize in kidney-pancreas transplantation and possess both the expertise and willingness to perform kidney-pancreas transplantation; and

"Whereas the referral to Toronto for kidney-pancreas transplantation would only serve to further compound the

problem of the already lengthy waiting period that exists in Toronto; and

"Whereas travel to Toronto by western Ontario dialysis patients for the prerequisite assessment process causes undue hardship and potential health risks;

"Therefore, be it resolved that we, the undersigned" 4,500 people, citizens of southwestern Ontario, "strongly petition the Ontario Legislature to demand the Ministry of Health provide the necessary funding to establish a kidney-pancreas transplantation program at the London Health Sciences Centre in London, Ontario."

I'm in full agreement, and I thank Sheryl Sardo for her efforts. I have signed this petition in full support.

#### LONG-TERM CARE

**Ms Shelley Martel (Nickel Belt):** I have a petition whose signatures were gathered this summer by Chris Charlton and a number of volunteers on Hamilton Mountain. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Conservative government increased fees paid by Ontario seniors and other vulnerable people living in long-term-care facilities by 15% ... instead of providing adequate government funding for long-term care; and

"Whereas the Conservative government has therefore shifted the cost of long-term care on to the backs of the frail elderly and their families; and

"Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

"Whereas in 1996 Ontario abandoned its minimum requirement of 2.25 hours of nursing care per nursing home resident; and

"Whereas the Ontario government's own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

"Whereas, according to the government's own study, government cutbacks have resulted in Ontario seniors receiving just 14 minutes a day of care from a registered nurse ... ; and

"Whereas the report also found that Ontario residents receive the least nursing, bathing and general care of nine other comparable locations;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Conservative government eliminate the 15% fee increase for residents in long-term-care facilities, increase the number of nursing care hours for each resident to a minimum of 3.5 hours per day, and provide stable, increased funding to ensure quality care is there for Ontario residents in long-term-care facilities."

I agree with the petitioners and I have affixed my signature to it.

## CHILDREN'S HEALTH SERVICES

**Mr Richard Patten (Ottawa Centre):** Mr Speaker, as you well know, I have received thousands of petitions from people in the Ottawa area concerned about the government of Ontario shutting down the heart surgery at the Children's Hospital.

"Whereas the closure of this program will restrict the accessibility to life-saving surgery for children in eastern Ontario; and

"Whereas every year CHEO treats 140 cases of seriously ill children close to home; and

"Whereas centralizing children's heart surgery in Toronto will force patients and their families to travel 400 to 600 kilometres away from home at a traumatic time" in their lives; and

"Whereas there is a waiting list for cardiac surgery in Toronto but not at CHEO; and

"Whereas the people of eastern Ontario demand accessible, quality health care" close to where they live;

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately override the government's intent to close this life-saving program and to ensure that top-quality, accessible health care remains accessible to every child in eastern Ontario."

1520

## SOINS DE LONGUE DURÉE

**M. Gilles Bisson (Timmins-Baie James):** Cette pétition est encore signée par les amis de M<sup>me</sup> Chris Charlton et d'autres personnes sur la montagne de Hamilton. Ça se lit:

« Attendu que le gouvernement conservateur a augmenté de 15 %, ou de 213 \$ par mois, les frais que paient les aînés de l'Ontario et les autres personnes vulnérables qui habitent les établissements de soins de longue durée, au lieu de financer adéquatement les soins de longue durée; et

« Attendu que le gouvernement conservateur fait maintenant porter aux aînés fragiles et leur famille le poids du financement des soins de longue durée; et

« Attendu que cette augmentation dépasse de 11,1 % l'augmentation que stipulent les lignes directrices sur l'augmentation de loyer pour les locataires de la province de l'Ontario; et

« Attendu qu'en 1996, l'Ontario a laissé tomber l'exigence minimale de 2,25 heures de soins infirmiers par pensionnaire d'une maison de soins infirmiers; et

« Attendu que cette année, le gouvernement verse moins de 2 \$ par jour par pensionnaire pour augmenter le niveau de service en matière de soins de longue durée; et

« Attendu que, selon une étude gouvernementale, en raison des compressions du gouvernement, les aînés de l'Ontario n'obtiennent que 14 minutes par jour de soins d'une infirmière autorisée (moins que la demi-heure consacrée aux résidents de la Saskatchewan); et

« Attendu que, selon ce rapport, les pensionnaires ontariens obtiennent le plus faible niveau de soins in-

firmiers, de soins balnéaires et de soins généraux comparativement aux pensionnaires de neuf autres endroits comparables;

« Par conséquent nous, les soussignés, présentons à l'Assemblée législative de l'Ontario la pétition qui se lit comme suit:

« Joignez-vous au Parti néo-démocratique pour demander au gouvernement conservateur d'annuler l'augmentation de 15 % des frais imposés pour pensionnaires des établissements de soins de longue durée, d'augmenter le nombre d'heures de soins infirmiers pour chacun des pensionnaires à au moins 3,5 heures par jour et d'accorder un financement stable et accru pour assurer les soins de qualité aux pensionnaires ontariens qui habitent les établissements de soins de longue durée. »

Je signe cette pétition aussi.

## LONG-TERM CARE

**Mr John Gerretsen (Kingston and the Islands):** This is a petition I received today signed by people in Toronto, Guelph and Mississauga. It deals with the long-term-care situation. It's addressed to the Legislative Assembly of Ontario.

"Whereas the Eves government has increased the fees paid by seniors, the most vulnerable living in long-term-care homes, by 15% over three years, or \$3.02 per diem in the first year and \$2 in the second year and \$2 in the third year, effective September 1, 2002;

"Whereas this increase will cost seniors and our most vulnerable more than \$200 a month and after three years;

"Whereas this increase is above the rent increase guidelines for tenants in the province of Ontario for the year 2002;

"Whereas, according to the government's own funded study, Ontario still ranks last among comparable jurisdictions in the amount of time provided to a resident for nursing and personal care; and

"Whereas the long-term-care funding partnership has been based on government accepting the responsibility to fund the care and services that residents need;

"Whereas the government needs to increase long-term-care operating funds by \$750 million over the next three years to raise the level of service for Ontario's long-term-care residents to those in Saskatchewan in 1999; and

"Whereas this province has been built by seniors who should be able to live out their lives with dignity, respect and in comfort in this province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Demand that Premier Eves reduce the 15% increase over three years in accommodation costs to no more than the cost-of-living increase annually and that the provincial government provide adequate funding for nursing and personal care to a level that is at least at the average standard for nursing and personal care in those 10 jurisdictions included in the government's own study."



I agree with the petition and I've signed it accordingly and I'm passing it on to you, Speaker.

### HEALTH CARE WORKERS

**Ms Shelley Martel (Nickel Belt):** I have a petition that was sent to me from the residents of Sarnia and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Minister of Health has been travelling the province announcing capital funds for bricks and mortar and equipment expenditures; and

"Whereas health science professionals, including X-ray and medical laboratory technologists, respiratory therapists, radiation and ultrasound technologists and physiotherapists and occupational therapists, once paid on par with or higher than nurses, have fallen further and further behind over the past 10 years; and

"Whereas hospitals are able to fund double-digit raises to many CEOs and administrative personnel, and the number of administrators in the \$100,000 club is growing steadily each year; and

"Whereas the shortage of health care professionals in Ontario threatens patient care and services in many hospitals, causes delays in results, delays in therapy and longer hospital stays and poor working conditions across the province; and

"Whereas physicians across the province need the services provided by these professionals to diagnose and treat patients; and

"Whereas a competitive central contract is needed to keep these professionals working here in Ontario;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To act now and give a renewed commitment to the people of Ontario by adequately funding the services provided by our hospital professionals so that our hospitals remain fully staffed and able to provide all essential services."

I agree with the petitioner and I've signed my name to this.

### LONG-TERM CARE

**Mr Michael Gravelle (Thunder Bay-Superior North):** The petitions do keep coming in related to the increase in long-term-care residency.

"To the Legislative Assembly of Ontario:

"Whereas the Eves government has increased the fees paid by seniors and the most vulnerable living in long-term-care facilities by 15% over three years or \$3.02 per diem in the first year and \$2 in the second year and \$2 in the third year effective September 1, 2002; and

"Whereas this increase will cost seniors and our most vulnerable more than \$200 a month after three years; and

"Whereas this increase is above the rent increase guidelines for tenants in the province of Ontario for 2002; and

"Whereas, according to the government's own funded study, Ontario will still rank last amongst comparable jurisdictions in the amount of time provided to a resident for nursing and personal care; and

"Whereas the long-term-care funding partnership has been based on government accepting the responsibility to fund the care and services that residents need; and

"Whereas government needs to increase long-term-care operating funding by \$750 million over the next three years to raise the level of service for Ontario's long-term-care residents to those in Saskatchewan in 1999; and

"Whereas this province has been built by seniors who should be able to live out their lives with dignity, respect and in comfort in this province;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Demand that Premier Eves reduce his 15% increase over three years in accommodation costs to no more than the cost-of-living increase annually and that the provincial government provide adequate funding for nursing and personal care to a level that is at least at the average standard for nursing and personal care in those 10 jurisdictions included in the government's own study."

I'm very grateful to those who sent petitions in to me. I'm most happy to sign them.

### ORDERS OF THE DAY

#### TORONTO WATERFRONT REVITALIZATION CORPORATION ACT, 2002

#### LOI DE 2002 SUR LA SOCIÉTÉ DE REVITALISATION DU SECTEUR RIVERAIN DE TORONTO

Mrs Ecker moved second reading of the following bill:

Bill 151, An Act respecting the Toronto Waterfront Revitalization Corporation / Projet de loi 151, Loi concernant la Société de revitalisation du secteur riverain de Toronto.

**The Acting Speaker (Mr Bert Johnson):** The Chair recognizes the Minister of Finance.

**Mr Gilles Bisson (Timmins-James Bay):** On a point of order, Mr Speaker: The NDP whip is in agreement with the House leaders in order to allow us to stand down our lead today because Mr Prue has to be in estimates committee. It was agreed to—just to make sure it's on the record.

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** On a point of order, Mr Speaker: I think we should wait until the leadoff to see if that is true. I haven't checked that with the other parties.

**Mr Bisson:** I thought you had.

**Hon Mr Stockwell:** No, I haven't, so I think we should wait for unanimous consent on that one.

**The Acting Speaker:** That is a point of order that will be resolved at some time in the future, perhaps.

**Mr Rick Bartolucci (Sudbury):** On a point of order, Mr Speaker: To be perfectly honest with you, the government House leader hadn't talked to us, but certainly if there was an agreement between the two, we have no problem with it.

**The Acting Speaker:** That is not a point of order but it's certainly a matter of interest.

**Hon Mr Stockwell:** I give consent to defer the leadoff speech for NDP until a future time.

**The Acting Speaker:** Mr Stockwell, the government House leader and the Minister of the Environment, has asked for consent. Is there consent? It is agreed.

The Chair now recognizes the Minister of Finance.

**Hon Janet Ecker (Minister of Finance):** I'll be sharing my time today with my colleagues the member for Scarborough Centre and the member for London West.

As finance minister, I'm very pleased today to rise to begin the second reading debate of Bill 151, the Toronto Waterfront Revitalization Corporation Act. This bill was first introduced last December. As members will recall, the proposed legislation, if passed by this House, would create a permanent Toronto Waterfront Revitalization Corp. The permanent corporation would replace the interim corporation that is currently in existence today. When the new body is in place, the redevelopment of Toronto's waterfront can proceed in earnest. That will mark the beginning of an important new phase in Toronto's development.

1530

I don't think it's news to this House to say that Toronto has experienced tremendous growth over the past several years. It actually wasn't that long ago when the Royal York Hotel was considered the dominant building on the skyline. As I think all visitors to Toronto will recognize, there are many other new and interesting structures that dominate that skyline.

Over the next 20 years, when we look into the future, some three million more people are expected to come to central Ontario. Many of them will move into Toronto. They'll be attracted here by good jobs, by a good cultural life, by strong neighbourhoods, all of those important characteristics that we know Toronto has. But this growth is going to represent a significant challenge for not only the city but also the province. It is a challenge that, if handled well, represents a tremendous opportunity for all of us to create an even stronger, healthier downtown core than we have today.

To do that is going to require new infrastructure, new jobs, new housing, new entertainment venues, new restaurants, new parks, playgrounds and recreational facilities. Toronto's waterfront can play a key role in that. I think it's a logical next step in starting to meet those future needs that are coming at us.

Waterfront revitalization will be an opportunity to put into practice the principles of the province's Smart Growth initiative, which is very ably led by my colleague

the Honourable Chris Hodgson, the Minister of Municipal Affairs and Housing. The principles that he's established in co-operation with municipalities will help build strong communities with competitive economies and a strong, healthy environment. Smart Growth is designed to manage Ontario's growing population and economy in ways that avoid urban sprawl and the destruction of valuable farmland and recreational land. For example, I am very pleased to have seen that with the initiatives under Smart Growth started by this government, with my colleague Minister Hodgson, we are preserving agriculture lands in my community—Pickering, Ajax, Uxbridge, just east of Toronto—a growing community but one that recognizes the importance of protecting key features in the community. Smart Growth has helped us to do that.

The waterfront revitalization project here in Toronto will be an excellent opportunity to make full use of the province's brownfields redevelopment initiative as well. Our goal here is to transform derelict and contaminated land into more productive uses.

Our government understands very clearly how important a thriving Toronto is to Ontario's economic well-being and indeed to the country's economic well-being. That's why the renewal of the waterfront is such an important step. The importance of this step I think is also underlined by the fact that the federal government of Canada and the city of Toronto are partners with us in this important endeavour.

As members may recall, the three levels of government have agreed to invest \$500 million each, for a total of \$1.5 billion, in an incredible new investment in the city's waterfront. This money is going to be used to make investments that will kick-start revitalization and transformation of the waterfront. It will help strengthen the city's international competitiveness, a very important goal. Because of that it will create thousands of new jobs, new neighbourhoods and new facilities for living and working in the city's downtown core.

In this way, waterfront revitalization can serve as a model for other Smart Growth initiatives throughout the greater Toronto area. The legislation fulfills Ontario's commitment to take the lead by creating a permanent waterfront revitalization corporation. If it becomes law through this bill, we will be very much closer to unlocking the waterfront's potential.

The proposed Toronto Waterfront Revitalization Corp would be responsible for developing business strategies and implementing those projects along the city's waterfront. It would also act as a champion for innovative approaches in how those projects are planned, are financed, are delivered. The proposed legislation would provide the waterfront corporation with the framework to leverage the initial investment provided by the three governments and to find private sector partners to attract their investment as well. The goal here is for the corporation to achieve financial self-sufficiency. With support from the government's private sector initiatives, we think



this goal is very achievable and the board is certainly committed to that.

To ensure that the corporation is accountable, the bill stipulates that the approval of all three governments would be required for the corporation to borrow funds, to mortgage its assets or to generate revenues. The proposed legislation would mandate the new corporation to create an accessible, active waterfront where people can live, can work, can play. While the corporation would have a mandate to encourage private sector involvement, as I mentioned, in various waterfront projects, it would also be obliged to ensure that the public has an opportunity to participate and to provide input to its plans. I think that's very important. So it is in the legislation to make sure the public understands that they, too, have a role in this very, very important project.

The proposed Toronto Waterfront Revitalization Corporation Act provides a broad outline of the corporation's purpose, powers and mandate. It also provides a framework for the corporation's future decisions in key areas such as business planning, financial accountability and annual reporting requirements. The draft legislation sets out the structure of the corporation by providing for a publicly appointed board of directors of up to 13 people. Each of the three partner governments would be empowered to appoint up to four members to the board. On passage of the bill, Robert Fung, who currently serves as chair of the interim corporation—and I think many people will be familiar with Mr Fung's name because of the visionary work he has done in terms of what can happen on Toronto's waterfront—will become the chair of the permanent corporation.

The draft legislation is designed to ensure a smooth transition from the interim corporation that exists today to a permanent structure, a permanent governing body. Moreover, the bill also provides a process for conducting a sunset review, which I think is very important, and a cooperative wind-down plan when the corporation completes its mandate.

Since the first reading of the bill, the province has consulted with the federal government, the city government and the corporation on some proposed amendments that we will be bringing forward in this process. As a result of these consultations, we will be tabling amendments that we think would clarify certain sections of the legislation and would respond to suggestions from the federal government, the city and the corporation to improve the bill. The proposed amendments—and I'll just briefly go through them for you—include a requirement for the corporation to conduct a review of the act and report back to the three governments within 12 months of its enactment on any suggested amendments to the act. You can quite appreciate that, as a new initiative going forward, as projects come forward and get pursued, there may well be needed some additional changes to the legislation. We wanted to make it very clear that the corporation could bring those forward to the government.

The second amendment is a requirement that the corporation's business plan include a public consultation

plan—I think that's very important—and that every fifth year there be a five-year revitalization plan. So we want to make sure we are constantly checking our progress, constantly checking to make sure that this is indeed working in the way all the three governments of the community would like to see.

1540

The third amendment deals with a requirement that the province consult with the federal government and the city prior to making any regulations under the act. I think one of the things that's very important here is, of course, that the city has zoning authority and the province has other regulatory authority, and I think all three levels of government here need to have some comfort that they can work as partners. I think we've had a good track record to date and I think we can continue that. We felt that this amendment might well give some comfort to our two partners that the three of us will continue to work in partnership on this.

I think all the partners in this initiative recognize that it's going to take time to plan and to deliver the new infrastructure and remediation of the contaminated lands on Toronto's waterfront. That's why, when the interim corporation was first created, it received a mandate to start working immediately on long-term business and development plans.

To get the process started, last year Canada, Ontario and Toronto announced the first four capital projects that will be undertaken under this initiative. So we are not waiting around for all that work to be done. We've gotten off to a good start with four projects that are worth approximately \$300 million, and include expanding Front Street to the west, from Bathurst to Dufferin Street, and building a new interchange for the Gardiner Expressway near the grounds of the CNE. The second project is to build a second subway platform at Union Station and expand passenger access between the subway station and the GO Transit concourse in Union Station. The third project is to begin the site preparation and the remediation work in the port lands and the west Don lands. Finally, the fourth project is to undertake environmental assessment work to re-naturalize and implement flood protection solutions near the mouth of the Don River. The costs of these projects will be shared equally by all three levels of government.

In June of this year, I had the pleasure of participating in a ceremony to kick off the Front Street extension—that's one of the projects that is going forward—with my colleagues Chris Hodgson, the Minister of Municipal Affairs; Tina Molinari, the Associate Minister of Municipal Affairs; and several federal ministers and members as well. That was the kick-off in June, and I understand that planning and design work for the Front Street extension is progressing well.

Next week, the corporation is expected to present a development plan and a business strategy for the Toronto waterfront central area to the three levels of government, and we look forward to receiving that. This business plan is going to form the basis for waterfront investment

priorities and decisions over the next five years. So we're quite looking forward to it, as I said. In this regard, I think it's worth pointing out that there has been outstanding co-operation between the three governments on the waterfront initiative. I want to assure the Legislature that Ontario intends to continue working with the federal government and the city of Toronto in the best interests of the people and businesses of Toronto.

We know we're not always going to see eye to eye on every issue; governments never do. But when it comes to the waterfront, we have not only been able to make great progress by creating this corporation to begin with, by pledging the money and the commitment to work ahead and by starting on these four projects, but I'm pleased to say that, as regards the waterfront, we are on the same page—the federal government, the provincial government and the city. That is not always the case, as readers and watchers of the media will know.

For our part, the government of Ontario has identified five criteria that we believe will be very helpful in this project and other projects in other cities—five criteria to achieve healthy and competitive cities. These include strategic, long-term investments in infrastructure, which we have been doing in partnership with the federal and provincial government through SuperBuild. For example, today I had the privilege, with my colleague Norm Sterling, the Minister of Transportation, my caucus colleague Marcel Beaubien and the Premier—we were there in Windsor to announce a project with the federal government and the Ontario government to invest \$300 million from both levels of government in improving Windsor border access. It is an extremely important project that this government, through transportation and through the Minister of Enterprise, Opportunity and Innovation—my colleague Jim Flaherty has also been working on this. We have demonstrated that it is possible for the provincial and federal governments to work together to come to the conclusion of successful projects. We have indeed been doing that with long-term investments in infrastructure. There are many other examples, but today I felt I had to mention Windsor since it was a very successful event for all of us.

Besides the strategic long-term investments in infrastructure, providing the right conditions to ensure competitiveness is very important. We as a government, in terms of our economic policies and tax policies, see ensuring competitiveness as a very, very important goal of that.

Pursuing opportunity and innovation—another important goal, as are shared intergovernmental priorities and partnerships, strong urban leadership and a high quality of life.

Those are some of the factors that will be guiding us in our participation in this unique partnership.

We are committed to working with municipalities, the federal government and other stakeholders to ensure that these criteria are met and to realize what I believe is our shared vision of a revitalized Toronto waterfront.

I would like to take this opportunity to invite the members of the opposition who frequently have expressed interest in Toronto from time to time—I think this is an example where they can demonstrate that commitment, demonstrate that interest by joining with us to support passage of Bill 151, to move it through the Legislature very quickly. I would certainly ask for their support on this motion today. Thank you very much for this opportunity to address this.

**Ms Marilyn Mushinski (Scarborough Centre):** I am particularly pleased today to rise in the Legislature to support the second reading of Bill 151, the Toronto Waterfront Revitalization Corporation Act, because the proposed legislation, if passed, would establish a permanent Toronto Waterfront Revitalization Corp, or TWRC. That permanent corporation is intended to replace the interim corporation that was created last year. With the new corporation up and running, the redevelopment and revitalization of Toronto's waterfront, I believe, will really start to take off. That's because the proposed legislation would give the TWRC a very clear direction and clear principles to guide it in carrying out its business.

The fact is, the revitalization of Toronto's waterfront will mark an important new phase for this great city. In the past, the lands along the central waterfront played an important role in the city's economic development. It is interesting. I happened to be in England a little earlier this year; unfortunately, there was a death in the family and I had to go to England. I was visiting with a good friend of my sister who happened to be a Cockney grocer, and on his library bookshelf he had a book called *My East End* which told the history of the east end of London. It was an extremely good depiction of how economic development and settlement create such an important aspect of city life.

It is important that we indeed put into context the history of Toronto's waterfront, because revitalizing these lands will truly ensure that the history will play an equally vital part in determining the city's future, I believe.

The waterfront area has been the location of numerous factories, warehouses and other retail, commercial and industrial sites, just as the east end of London was in the 1800s. These enterprises were, we all know, among the cornerstones of Toronto's prosperity. Indeed, the first settlers who came to Toronto arrived here by water and the city's earliest beginnings are linked to the shore of the lake.

**1550**

Back in 1750, it was French fur traders who established a post at the foot of Dufferin Street on grounds that today house the CNE. Almost 40 years later, in 1787, Britain negotiated the Toronto purchase. Through this purchase, they acquired a huge parcel of land, measuring some 14 miles along the lakeshore and 30 miles to the north. In 1793, Governor John Graves Simcoe established Fort York, and not long after that, Simcoe's soldiers began building Yonge Street, starting from the



shore of Lake Ontario. As many of my honourable colleagues know, downtown Toronto, which has a very interesting history, is built upon really low-lying ground. As a result, residents and visitors in the early 19th century often referred to downtown Toronto as Muddy York.

Toronto was incorporated as a city in 1834. That means by historical standards it's still a comparatively young city. However, in just 168 years, Toronto's reputation has spread. It has spread across Canada, it has actually spread throughout North America, and we know it has spread around the world. It's known as one of the world's most successful and livable cities.

During the 20th century, our provincial capital experienced tremendous growth, and that growth, we know, is expected to continue well into 21st century. In fact, over the next couple of decades it's been predicted that three million new residents will come to live in central Ontario, and we know that many of them will be coming to live right here in Toronto. They'll come here for many reasons. They'll come to find jobs and to experience the many rich cultural attractions this city has to offer and actually, I would say, has become famous for. They'll come for the restaurants, they'll come for the parks, they'll come for the schools and they'll come for the health care facilities. They'll come so that their children can grow up in safe and friendly neighbourhoods.

If the Legislature passes this bill, people will soon have many more reasons to come to Toronto. That's because the passage of this proposed legislation represents another step closer to a revitalized and redeveloped waterfront, something I think we all aspire to achieve in this chamber.

I think it's important to recognize that as Toronto and Ontario continue to grow, we are going to face many challenges. To meet those challenges, we need to invest in more roads and more transit, more housing, schools and health care facilities, more parks and recreational facilities and other vital public services.

Certainly growth will bring some challenges, but it will also bring many important opportunities. Perhaps the most important of these is the opportunity to build a stronger, healthier city by practising the principles of Smart Growth. As the honourable members know, Smart Growth is our government's vision of promoting and managing growth throughout this province. Smart Growth can help us to manage the challenges of rapid growth in our urban centres.

Toronto, as we know, is one of the best examples of this. The revitalization of the Toronto waterfront I believe represents an outstanding opportunity for us to use those Smart Growth principles and to build an even stronger community, an even more prosperous and competitive economy and a safer and healthier environment, something we all aspire to achieve.

Through Smart Growth, I believe we can manage the challenges of Ontario's growing population and economy more effectively, and we can do it in ways that avoid urban sprawl, something that everybody wants to avoid

these days, and the destruction of valuable farmland and recreational land.

Waterfront revitalization in Toronto will also provide opportunities to take advantage of the province's brownfields initiative. In this regard, our goal is to take derelict or contaminated land and rehabilitate it for more productive uses. There are many brownfield sites on the waterfront. Some of these sites can be remediated for new infrastructure and facilities that Toronto will need for the millions of people who are expected to come here in the future to live, work and play.

To accommodate that future growth, Toronto will need new jobs, new housing, new entertainment facilities, new restaurants and public spaces. With the passage of Bill 151 and the creation of a permanent waterfront development corporation, we would start to see these new facilities being built on the shore of Lake Ontario, right in the heart of the city.

As my honourable colleague the Minister of Finance, Mrs Ecker, said earlier, our government believes that Toronto has the potential to join the world's greatest cities and to become one of the world's premier urban centres. To achieve that vision, however, we have got to get going on waterfront redevelopment and we need to do it as soon as possible. Bill 151 is designed to take us closer to realizing that goal.

By way of background, the honourable members should know that the province has formed a partnership in the waterfront revitalization initiative with two other levels of government, and this is very important: the government of Canada and the city of Toronto. Together, the three partners have pledged to invest a total of \$1.5 billion to renew Toronto's waterfront. We know that this is a great deal of money, but we also know that it is entirely appropriate, considering the massive scale of undertaking that we all envision. The corporation would have a mandate to oversee an estimated \$12 billion worth of redevelopment projects on the Toronto waterfront.

We believe that this is quite possibly the single largest project of its kind in Canadian history and something that I think we can compare, for example, to Canary Wharf in London, which was intended, of course, to revitalize the Thames waterfront.

We're talking about redevelopment on a truly massive scale. As Mr Robert Fung, the chair of the interim waterfront corporation, has pointed out and as the Minister of Finance has mentioned, we could be looking at 10 million square feet of new commercial and industrial space, which is an amount equal to the floor space of five SkyDomes. We could be looking at a total of 74 hectares, or 183 acres, of new parkland. We could be looking at up to 35,000 new permanent jobs and an estimated 165,000 person-years of employment during construction. We could be looking at new homes for 68,000 people. We could be looking at \$100 million in new annual property tax revenue, based on current tax rates. We could be looking at attractions that would bring an estimated two million additional visitors to Toronto each year, which would represent an increase of 10%. Last but not least,

we could also be looking at \$800 million in transit improvements, and an additional 100,000 TTC trips per day, which would represent an 8% increase in overall TTC ridership.

To coordinate the public's investment as well as the billions of dollars in private sector capital requirement we hope to attract to the waterfront, we need a permanent revitalization corporation, and that, as I have pointed out, is the purpose of Bill 151.

#### 1600

This proposed legislation fulfills Ontario's pledge to show leadership on waterfront redevelopment issues, starting with the creation of a permanent waterfront revitalization corporation. The government, we believe, attaches a huge priority to this corporation, and we would like to see this bill approved by the Legislature before the end of this fall session.

I want now to take just a few minutes to outline some of the highlights of Bill 151. First and foremost, the proposed legislation provides for the creation of the Toronto Waterfront Revitalization Corp. The corporation would assume responsibility for the development of business plans, development strategies and implementing projects along the city's waterfront. It would also encourage the adoption of innovative principles in the way that those projects are carried out. Under the proposed legislation, the corporation would be empowered to leverage the initial investment provided by the three governments, with the goals of becoming financially self-sustaining and attracting private sector investment to the waterfront.

The proposed bill would also ensure the new corporation's accountability, something that we think is very important in these days, by requiring it to obtain the approval of all three governments before borrowing funds, mortgaging assets or generating revenues. While the legislation would give the corporation a mandate to encourage private sector involvement in waterfront projects, it would also ensure that the corporation involves the public in developing its plans—another important aspect, I would submit.

The proposed act outlines the purpose, the powers and the mandate of the permanent corporation and it gives the corporation a framework to guide it in business planning, financial accountability and annual reporting.

Bill 151 provides for a board of directors of up to 13 people, with up to four members to be appointed by each of the three governments. If the legislation is passed, Robert Fung, whose task force report was instrumental in helping to shape our future vision of the waterfront, would assume the chairmanship of the permanent corporation.

The draft legislation is designed to ensure a smooth transition from the interim entity to a permanent corporation. The bill also includes a proposed process for a sunset review and a wind-down plan once the corporation has completed its mandate.

Since first reading of the bill, the province has been involved in ongoing consultations with the federal gov-

ernment, with the city of Toronto and with the Toronto Waterfront Revitalization Corp. As a result of these consultations, the government is prepared to propose several amendments to the bill, which include a requirement for the corporation to conduct a review of the act and report back to the three governments, within 12 months from its enactment, on any suggested amendments to the act. It would also include a requirement that the corporation's business plan include a public consultation plan, and every fifth year a five-year revitalization plan, along with a requirement that the province consult with the federal government and the city of Toronto before making any regulations under the proposed act.

These proposed amendments would actually clarify certain sections of the legislation and respond to suggestions from the federal government, the city of Toronto and the TWRC, and I would submit they are very reasonable amendments.

This proposed legislation aims to balance corporate independence with the need for public accountability, something that we all aspire to in this House. It is also consistent with the major tenet of the governance model that is described in the Fung task force, which is for an arm's-length development corporation that has clear accountability links back to the three government partners.

Bill 151 thus envisions a publicly accountable corporation, one that ultimately has the mandate and the powers necessary to manage and oversee the revitalization of Toronto's waterfront over the next 25 years.

I would also like to note that the current bill does not make reference to the city of Toronto's official plan. However, the province is proposing an amendment that would provide for the corporation's development activities to be guided by the city's official plan.

The importance of a revitalized Toronto waterfront to the local, provincial and national economies is reflected by a \$1.5-billion investment commitment from all three governments. With such a significant amount of public funds being invested through this corporation, I believe it is clear that there needs to be an adequate government oversight.

As I have mentioned, the proposed legislation includes a provision for a 12-month review period, after which the corporation can come back to all three government partners with suggestions for additional financial powers and for other new responsibilities.

The province intends to continue working in partnership with the other levels of government and the TWRC to resolve any outstanding governance issues by agreement. This will ensure that waterfront projects are implemented efficiently and effectively.

We all recognize that it will take time to plan for the revitalization of the waterfront—in fact, I just mentioned 25 years—and to build new facilities on these lands. With this in mind, the interim corporation was given the green light last year to begin working immediately on its long-term business and development plan.



Last year, as members will recall, the governments of Canada, Ontario and Toronto announced the first four capital projects to be undertaken under the waterfront redevelopment initiative. These four projects will cost an estimated \$300 million, and they include: an expansion of Front Street to the west, from Bathurst to Dufferin Street, which includes building a new interchange with the Gardiner Expressway near the CNE grounds; it also includes a second subway platform at Union Station, with expanded passenger access between the subway stations and the GO Transit concourse in the station; it includes site preparation and remediation work in the port lands and west Don lands; and environmental assessment work near the mouth of the Don River, as already mentioned by the Minister of Finance.

The costs of these projects will be shared equally by all three levels of government, with the provincial contribution coming from SuperBuild.

In terms of where these projects stand today, I think it is worth noting that the first phase of each project includes environmental studies and design work. The timelines for completing the full projects, however, are somewhat different.

Two of the projects, the Front Street extension and the preparation of the port lands for development, are expected to take until 2006 to complete. The second subway platform at Union Station will be completed by 2007. The first project for the Don River consists entirely of environmental studies, and we hope that those would be completed by next year.

I'd also like to advise the honourable members that the three governments are anticipating the TWRC to provide a development plan and business strategy for the Toronto waterfront central area sometime in early October. The plan and strategy will address the design, financing and implementation of waterfront redevelopment. Once it is complete, the development concept and business strategy will identify what kind of development will go where, how much it will cost, how much revenue it may generate and when it will be implemented.

1610

The strategy will be made up of three interrelated parts: first, a development plan which will be guided by the city of Toronto's central waterfront part II plan; second, a financial model; and third, an implementation plan.

There has been an unprecedented degree of co-operation between the three governments on the waterfront revitalization initiative. Ontario is absolutely committed to continuing to work in a spirit of true partnership with the federal government and the city to realize our shared vision of Toronto's waterfront. Of the 20 years I have been in public life, I was on Scarborough council for 12, and back then we were talking about this shared vision. I'm just delighted to finally see it come to fruition.

The vision is one of a stronger, more vibrant city. It's one of a city that can take its place with the great urban centres of the world.

By revitalizing Toronto's waterfront, we will create new jobs and new sources of prosperity, and new neighbourhoods and communities for tens of thousands of people. Doing that will enhance the economic competitiveness of our provincial capital and contribute not only to a stronger Ontario but to a stronger Canada, because Toronto, after all, is the economic engine of this country.

All of the partners in this great enterprise are anxious to see this proposed legislation proclaimed so that we can start implementing the projects that will give us a revitalized Toronto waterfront.

I will close by urging that all members of the Legislature join me today by giving their support to Bill 151.

**Mr Bob Wood (London West):** I rise today to support this bill. In outlining my reasons for support, it's important to look at the context in which this bill has been developed. This is an innovative bill. It's not building on an existing act. It's creating what is basically a new approach and a new idea.

It's new for the waterfront in the city of Toronto, but the idea of urban revitalization is of course a very old one. In considering the context, we might take a look at some of the cities that have achieved success, and we can think of many of them. We might take a look at some cities that have not had the success they might have liked to have had. I'm not going to mention any of those, but there have been cities that have not had a good plan, have not implemented a good plan and really have seen and have lived with the results for many generations.

We can think of cities like Chicago: Grant Park, the Loop and North Michigan Avenue. We can think of cities like Rome and Paris and many others that have worked out well. That has happened because certain things have happened to achieve those quite spectacular results.

I'd like to focus for a few minutes on one particular city and how its revitalization happened, because that's going to give us some important indications of what works and what doesn't. If we take a look at what worked in the revitalization of the city of Paris, it really happened during the reign of Emperor Napoleon III when what the city of Paris is today was basically prepared and created. Pretty much what has happened since then to make that city so noted throughout the world springs from what was done during the reign of Napoleon III and done under the direction of Baron Haussmann. I'd like to remind the House of exactly what happened in that period, because I think we can then use some of that experience to evaluate the merits of this bill.

The first thing that experience was based on, I think, was a partnership between the national government in the person of Napoleon III and the local government in the person of Baron Haussmann who, I believe, at the time was the senior local official—I think the prefect of the Seine.

Another thing that happened during the revitalization of Paris during that period was they considered carefully what their existing strengths were. They didn't start from scratch because, of course, the city had theoretically an 1,800-year history; in actual fact, effectively a 1,600-year

history because it really, at that point, had no buildings that were built prior to the 1200s. I think it's important to note that the revitalization did not start from scratch but built on existing strengths.

I think it's also worthy of note that what they tried to do was enhance their existing strengths to provide a basis for future development. Much of what happened after the reign of Napoleon III enhanced the city of Paris that we see today flowed directly from the decisions that were made to provide that sort of opportunity for growth.

I think also, if you look at how they went about doing it, you'll notice a few qualities they brought to the task: they brought imagination, vision and practicality. The result, of course, speaks for itself: one of the most noted cities in the world. We all know the Champs-Élysées, the Eiffel Tower and the Louvre. Many of us have had the opportunity to look at the view between the Louvre and the Étoile a few kilometres away. Many of us have had the opportunity to take a look at the view between the National Assembly and the Place de la Madeleine, and the many other attractions that are there in that city.

I think if we take a look at that experience, it helps us in analyzing the merits or deficiencies of this bill. Obviously, one thing that has to be available, based on that experience, is a partnership between our senior levels of government and the local government. We have that. The investment has been announced of some \$1.5 billion. That, of course, is spread among the three partners. I think that is a very sound basis on which to proceed. Not only do the three levels of government talk co-operation and talk partnership; they've actually put on the table serious resources in order to achieve the partnership and co-operation that they're talking about. The corporation, of course, is tasked with developing business strategies, implementing the projects and championing the innovation to achieve the three governments' goal of revitalizing the waterfront in a financially self-sustaining and environmentally responsible manner.

The objectives of the corporation, of which I would remind the House, include creating an accessible and active waterfront for living, working and recreation; promoting and encouraging private sector involvement in the waterfront redevelopment; and encouraging public input in the development of the waterfront. Those objectives, I think, fit very well with the experience in the city of Paris during the reign of Napoleon III. They, in effect, took similar criteria and applied them to their city in their time.

The legislation, of course, allows the city of Toronto to participate in the corporation and any subsidiary corporations that may be established. The structure and accountability requirements of the corporation—which, as the House will be aware of, include a board of directors consisting of up to 13 members including the chair, with each level of government responsible for appointing four members—again are another firm indication of the seriousness of the three partners. In actual fact, not only are the three contributing financially in equal proportions; they're also going to have equal say in the actual

governance of the corporation. It provides for a smooth transition from the interim to the permanent corporation, it provides for business planning, financial accountability and annual reporting requirements, and a process for sunset review, and a co-operative wind-down plan once the corporation has achieved its mandate. Many of those ideas, of course, stem from our more recent experiences as to how to go about executing a partnership of this nature and how to make sure that structures that are no longer needed are in fact dealt with and do not remain past the period of their usefulness.

**1620**

As we know, there have been more recent urban revitalizations in the cities of London, England; New York; and Barcelona, Spain. We've tried to borrow from them in introducing some of these more contemporary ideas to the plan that's before the House today.

The legislation also provides the corporation with a framework to leverage the three governments' initial investment in order to become financially self-sufficient and attract private sector investment to the waterfront area.

I think it is important, particularly in this century, with public expectations being what they are, that we make certain we do have financially viable projects, which are a part and really the underpinning of this whole plan. To expect the government—any government, be it municipal, provincial or federal—to continuously underwrite a project is to invite serious problems in the future. I think the underlying concept of this being self-sufficient is a very, very wise move. We have seen both kinds of projects in the past, and generally those which are self-sustaining and are supported by the public do very well; those that aren't generally have continuous problems.

I would like to note as well that accountability requires that the corporation has to get the approval of the three governments to borrow funds, mortgage its assets or generate revenues, because of course borrowing is an easy way to postpone problems. I would hope that all three levels of government will act vigorously in making sure that we don't take the easy way out, because that's merely a way of postponing problems that have to be dealt with later.

Since the first reading of the bill, as members I think know, the province has consulted with the federal and city governments on proposed amendments. As a result of these consultations, there are going to be several amendments to the bill. They will clarify certain sections of the legislation and respond to our discussions with the federal government and the city of Toronto.

The amendments include a requirement for the corporation to conduct a review of the act and report back to the three governments within 12 months on any suggested amendments. I think that's a very sound piece of this legislation. We think we have a good plan, but it is new. It's not something that we're duplicating from somewhere else. It's a new plan and there are going to be some things that we think will work well that will, and there may be some that we think will work well that



won't. But we have built into this legislation an assessment of what is working, an assessment of what is not working so well, and the opportunity to do something about it.

It also requires that the corporation's business plan include a public consultation plan and, every fifth year, a five-year revitalization plan.

Public consultation is something that all politicians talk about, and we know that. But we also have found that if you embark on a project of this nature, and virtually any project, where you lack public support, you just have a lot of problems, and those problems aren't solved until you change the plan so it does get public support. I think the experience of all three levels of government is going to ensure that the consultation is taken seriously and is worked into the plan.

The idea of a five-year revitalization plan I think is good, because circumstances change. Experience teaches us much. I think that every five years to renew the plan, to make sure that what we're going to be doing over the following five years reflects our experience of the preceding five years, is quite important. We don't want to get into a situation where a plan is developed now that becomes difficult to change later. These amendments are going to avoid that particular problem.

We also have a requirement that the province consult with the federal government and the city of Toronto prior to making any regulations under the act. I think that shows that the province is serious about a full partnership with the other two levels of government and a desire to get their input. The province of course is going to continue to work co-operatively with the other two levels of government and the Toronto Waterfront Revitalization Corp in the months ahead.

I would like to note that Mr Robert Fung, who is of course the former chair of the Toronto Waterfront Revitalization Task Force, has been appointed by all three levels of government as chair of the interim corporation. I think that's a positive indication for two reasons. One reason is that all three levels of government agree on the individual to help move this project forward. I think it shows that all three are committed to a partnership and all three want to make sure that the direction is a consistent one.

I think it also shows that we are looking for someone of vision and commitment. If you look at the work Mr Fung has done over the past number of years, you will see that he's an individual who understands the problems, who is practical and who can translate vision and new ideas into a practical plan to actually get things done. I might note that if the legislation is approved, Mr Fung is going to continue as chair of the permanent corporation. All three governments have announced their appointments to the board of directors, so I think the corporation is basically up and ready to do its work.

I'd also like to talk a little bit about where we might invite the corporation to look for ideas. I've already talked about looking at the success stories that have happened in other countries. I think that's very important.

We know that many great ideas have been identified by cities, regions and countries throughout the world. I think it's very important that we do that because, as the House knows, the world is becoming more and more one world. It's not a world of countries or even continents. So I think that's very important.

However, there is another area that I hope the corporation is going to look to for ideas. Without being parochial in any way, I would like to invite our friends in Toronto to take a look at other areas of the province. There have been many examples of very successful revitalizations right here in this province. Some are in larger communities such as my own. They might go out to look, for example, at how the city of London has revitalized the forks region of the Thames River, which is at the centre of the city of London. We have put a lot of time, money and thought into how that builds on one of the strengths of our community and the surrounding communities. I think if you take a look at our experience there, that may give you some useful suggestions as to how you might go about doing revitalization in Toronto.

However, you also could look at some of the smaller communities. One that comes to mind, for example, is Kenora. Kenora has revitalized its waterfront. They had some positive experiences in part of what they did and they had a few problems. I don't think there's any fundamental difference in revitalization between a small community like Kenora, a mid-sized one like London or a large one like Toronto. I think there are certain things that work and certain things that don't. I would like to urge the corporation: there are a lot of good, made-in-Ontario ideas that are out there for the taking. I invite them to go out and find them and use them.

1630

**The Acting Speaker:** Comments and questions?

**Mr Richard Patten (Ottawa Centre):** You can tell by the tone of the Legislature today that this is not a contentious bill. It seems to me all sides of the House are in support of this, in principle. I heard a couple of members on the government side mention that they in fact will be bringing forward some amendments, and I think that's in good order.

I hope that there would be a couple of days of hearings, and I say this for the people of Toronto, really. By the way, it's a delight to hear the very strong sense of contentment on behalf of the government to work closely with the federal government and with the municipalities, especially with Toronto in this instance, when Mr Lastman, the mayor, is saying that the province is killing them because of the downloading on a whole variety of areas.

So this idea of a revitalized waterfront is needed. I think everyone recognizes that. It has also been around for many, many years. The member from London West cited a few examples: Paris—it must be the Seine—and Rome. I don't know about the waterfront in Rome. I can't recall what it is.

*Interjection.*

**Mr Gregory S. Sorbara (Vaughan-King-Aurora):** It's magnificent, absolutely magnificent.

**Mr Patten:** My friend Mr Sorbara suggests it's magnificent.

We have many other cities in Canada. I'm thinking of Saint John, New Brunswick, Halifax and parts of Montreal that have done very well.

*Interjection.*

**Mr Patten:** Sudbury, another fantastic place.

So there are examples where it works. It provides a shot in the arm.

There are other ways in which this government needs to be supportive of Toronto, by the way, especially on mass transit and things of that nature, because in and of itself it will not do the whole job of making it a potentially fabulous international city. Right now, it's suffering and needs this kind of support.

**Mr Tony Martin (Sault Ste Marie):** I want to say that this indeed is an important piece of work. It's baffling why it has taken so long. We have some really serious questions about just how it's going to roll out.

If the events of yesterday, where the municipality of Toronto, supported by their police, acquiesced to by the provincial government, moved in and evicted several of our most vulnerable and at-risk citizens, without considering for a second the impact that would have on their lives and where they might go and what else might be done to accommodate them—the knee-jerk reaction—if that is the way this government is going to move to make sure that in this package there is affordable housing, that people in need of subsidized housing are being considered and looked after, then I think we're in big trouble.

I don't think there's anybody who has a moral conscience or who has watched the evolution of homelessness in this province over the last five to seven years who isn't concerned with the rise in the numbers, and the way that yesterday a senior level of government with lots of power and force moved in to summarily simply evict, without sitting down, and perhaps even using that situation as an example of what they refer to in this bill as a coming together of the three senior levels of government with the private sector to do something more creative and more helpful with the opportunity at hand. It's unfortunate, and I hope it isn't what we are to expect as we move forward, where affordable and subsidized housing is concerned.

**Hon Tina R. Molinari (Associate Minister of Municipal Affairs and Housing):** It's a pleasure for me to speak on the bill being debated here this afternoon. I had the pleasure of attending the presentation and the unveiling with Robert Fung; the Minister of Finance, Janet Ecker; and the Minister of Municipal Affairs and Housing, Chris Hodgson.

I have to say that this is another example of where there are people working together toward a common goal. The federal government has contributed to this, and we've contributed to it to the tune of \$500 million. So

with all of that contribution, we can really revitalize the waterfront.

In my portfolio as urban affairs minister, I have been touring the province and talking to people about things that are important to them in the municipalities. The constant theme is that we need to work together, all levels of government. This is one way of doing that. The revitalization of the waterfront and making Toronto a better city and a wonderful city for people to come and visit is what we all need to be looking at doing. Toronto is at the centre of Ontario; it is a city we are all proud of. Projects like this will only enhance and improve the city.

So, I'm certainly looking forward to seeing this bill passed and seeing it implemented, for the people of Toronto and for all of Ontario, because it's important that people feel they can come to a city that has a wonderful waterfront, a city that has entertainment, a city that flourishes and a city that everyone in Ontario can be proud of.

Certainly various municipalities across the province have individual needs, and they all see Toronto, the city it is, and they enjoy visiting Toronto.

I'm pleased that we're putting this forward and that the Minister of Finance has put this forward. I'm looking forward to all members of this House supporting this bill, because it's a crucial and important bill.

**Mr Sorbara:** I paid very careful attention to my colleagues on the government side. Of course we do support this bill. The revitalization of the waterfront is extremely important.

The great irony in this debate is that the bill is entitled An Act respecting the Toronto Waterfront Revitalization Corporation, creating a corporation. We're debating that the day after the poorest and the frailest and the most unfortunate who live in the city of Toronto are evicted from tent city in downtown Toronto on Home Depot land. That is so ironic, that here in this magnificent House we're talking about revitalizing the waterfront and at the same time what's actually happening out on the street is that the homeless of Toronto, 100 or 200 people who have actually established some semblance of a life, are summarily thrown out.

If you listen to the debates in this House, periodically we hear the government members refer back to, my God, the Bob Rae days and the Peterson days. I'm surprised that they don't go back to Mitch Hepburn. It should be noted for the record—

*Interjections.*

**Mr Sorbara:** I hear cackling. It should be noted for the record, sir, that tent city was a phenomenon, the poverty and the homeless phenomenon that developed exclusively and entirely during the reign of this government. The shame of this government is that while they debate proposed bills on revitalization of Toronto's waterfront, they do nothing for those who are most vulnerable, including the homeless of this province.

**The Acting Speaker:** The Chair recognizes the Minister of Finance.



**Hon Mrs Ecker:** I have listened to the comments of my colleagues, both on this side of the House and across the way, on this very, very important piece of legislation. I am pleased—I think I did hear the Liberals say they actually were prepared to support this legislation, although, among some of the other comments, it was a little hard to kind of pull that out. But we will see if they can continue to do what they said they would do on this to support this legislation. That would be helpful. I'll leave it to the House leaders to work out the process as to how best that can occur in this Legislature.

I think it's important to note that the opposition—on the one hand, they love to stand up in this place and say this government doesn't care about Toronto, this government hasn't done things for Toronto and on and on and on and on. Yet when we come forward with something that is actually going to result in an investment, just in the first four projects alone, of some \$300 million for the city of Toronto waterfront, I think that is an extremely important commitment to this city and what it represents for this province.

Not only that, the investments we are making in the cultural institutions here in this city—in the Royal Ontario Museum, in the ballet school, in the opera—phenomenal. Their government never invested anything like this in the infrastructure and the culture of the city. I've got to tell you, I represent a 905 riding and I hear from my constituents sometimes that they're not necessarily sure that's the right thing to do. But we as a government recognize that that investment here in Toronto is going to have incredible payoffs, not only for regions in the 905 but for the entire province in terms of economic growth and jobs. I would encourage the Liberal government in Ottawa to continue to partner with us and I would encourage the Liberal opposition and the NDP to support this important bill.

1640

**The Acting Speaker:** Further debate?

**Mr Gerry Phillips (Scarborough-Agincourt):** I'll be sharing my time with the members from Eglinton-Lawrence, Windsor-St Clair, York South-Weston and St Catharines. I'm happy to continue the debate on this bill. I'll just say for the public that the Minister of Finance is saying that we've got to get this thing through. You should recognize it was 10 months ago that this bill was tabled and the government hasn't dealt with it at all. It was December 11, a year ago. So, on the urgent need to get on with this, I would have said to the government, "Let's get your business ordered. Let's get on with this." This is the first time we've been able to debate this bill. It was introduced in December of last year and the government has finally brought it forward.

The second thing, and I think the public should understand, is that it was in the 2000 budget that we first heard about this SuperBuild millennium fund, and the government then allocated \$200 million. This was going to be used for the waterfront. Well, what happened? None of it was spent. Then in the next budget, 2001, this urgent waterfront project that we must move forward

with quickly: again put in the budget; nothing spent. Finally, we see in this year's budget the same thing again.

So I say to the public that indeed we are supporting the bill. We said that when it was introduced 10 months ago. But I would just say to the people of Ontario to recognize that it's the first time we are debating this bill, which the government is now urging rapid passage of. It has now acknowledged it has to send it to committee for amendment, and it's a sign again, in my opinion, of the constant incompetence of the government: urgent bill, introduced last December, and the first time we've had an opportunity to debate it is now.

I want to get to our concerns about this piece of legislation, and there are several. One is protection on conflict of interest. I'll use an example of the 407 corporation and GO Transit. I've raised this publicly before. I think we need clearer guidelines about conflict of interest for directors that are here to represent the public. I raised this publicly with Mr Eves and I asked him to consider this: someone called Mr Al Leach is on the board of directors of the Highway 407 Corp and SNC Lavalin—a competent individual, no question of that, someone with good credentials. But he sits on these two boards that have an enormous financial interest: in SNC Lavalin's case they are one of the consortiums redeveloping Union Station; the 407 corporation has an enormous interest in congestion and traffic in Toronto. But the government has chosen to also appoint Mr Leach as the vice-chair of GO Transit. In my opinion, that's a direct conflict. You cannot be representing the public interest on the GO Transit board and still be sitting on the board of directors of the 407 corporation and SNC Lavalin. It has nothing to do with Mr Leach's competence or basic honesty; you just can't do it.

I raised the question with Mr Leach when he was being appointed. He said, "I don't see any problem. There's enough business to go around for everybody. Don't worry about it." So I raised it with the Premier, and the Premier just recently, in late July, sent me a letter saying he does not have a problem with it. Well, I do have a problem with it and Dalton McGuinty has a problem with it and the Liberal caucus has a problem with it. We demand that the people appointed to protect and represent the taxpayers should not also, at the same time, have a financial interest in a policy contrary to the public. The reason I raise that is that this bill does nothing to protect against the appointees of the Ontario Legislature also running a similar risk of conflict.

I will use an example. I gather from media reports that Ontario Power Generation—OPG, as they call it—is looking to build some generating capacity on the waterfront. Mr Farlinger is the chair of OPG, but I gather that he is also a government representative on the board that we are going to make permanent here. We want people there representing the taxpayers of Ontario, the people of Ontario, who are not wearing another hat and who do not have a conflict. It is something that we certainly will raise when this bill gets to committee.

There's the example of Mr Leach—and by the way, I would just say that with the 407 corporation, a private company, the initial equity investment three years ago in the 407 was \$750 million. The highway sold the day the provincial election was called. I'll never forget it. On May 5, 1999, the 407 sold and the equity investment was \$750 million. That is now worth \$3 billion. Those people who bought that highway now have an asset that is worth four times what they paid for it. It's regarded as the most lucrative—

**Hon Mrs Ecker:** That's because they built it, Gerry.

**Mr Phillips:** There's the Minister of Finance, who will not stand up for the people of Ontario, and Mr Leach is there as a chair, and now he's also the vice-chair of GO Transit, and the minister says, "That's why they bought it."

Let me say this to you, Minister: you, as a government, promised that you had control over the tolls. When you put out the public release on the 407, you said you had a tolling agreement that would prevent increases. Let me tell you, you don't. And let me tell you that the reason it's now worth four times more is that it's the only private toll road in the world where there are no toll restrictions. That's why these companies are just drooling over it. And you, Minister of Finance, and Mr Eves, who was responsible for the deal, let down the 407 users terribly; you, Minister, of all people.

The 407 will ultimately come to your area and people are going to be paying two and three times what they should. But you don't really seem to care. It's all right. It's capitalism. It's the free enterprise system. Furthermore, "We will allow one of the directors of the 407 corporation to also sit as vice-chair of GO Transit." You may find that acceptable, Minister, and the public should recognize that the Minister of Finance is defending that decision, saying it's great.

*Interjection.*

**Mr Phillips:** I am saying that no one should be in that conflict-of-interest situation. I find it unacceptable.

**Hon Mrs Ecker:** What conflict?

**Mr Phillips:** The Minister of Finance says, "What conflict?" If you don't understand, the vice-chair of GO Transit also sitting on the board of directors—every single decision that GO Transit makes will have a financial impact on the 407. For the public, nothing could demonstrate more clearly the frustration we feel than the Minister of Finance saying, "That is completely all right with me." It's just wide-open free enterprise. I say the public has a right to independent boards of directors that are going to look after the public interest.

Minister of Finance, I'm listening carefully to you. You think it's completely all right. We have a different standard. In my opinion this is nothing—

**Hon Mrs Ecker:** Yes, that's why there's no highway out there.

1650

**Mr Phillips:** There we go again. The Minister of Finance is saying that it's completely acceptable. I think it's not.

**Hon Mrs Ecker:** That's not what we said.

**Mr Phillips:** I think you did say that, Minister, and if you didn't say that, then you should say it's unacceptable for Mr Leach to be the vice-chair of the board. The reason I raise it here is that if these are—

*Interjection.*

**Mr Phillips:** "Smearing his reputation" is what the Minister of Finance says. I am simply saying it is unacceptable. The reason I raise it here—

**The Acting Speaker:** Order. You've asked me to enforce the rules of the House. I'm quite prepared to do it. I just wanted to tell you that it may make a little difference in your department over the next hour and 10 minutes.

**Mr Phillips:** The reason I raise it is because I don't know whether the three people that are currently on the board of the waterfront corporation will be the three people that continue. I think we need to, as a Legislature, understand what the standards are. Is it acceptable for people who have a conflict of interest to be serving on two boards at once? I simply say that needs to be defined. We in the Liberal Party have a fundamental disagreement with the government. We don't think that's acceptable.

The Minister of Finance in her remarks talked about how one of the key goals of this waterfront corporation will be to dramatically increase the involvement in the private sector of the investments there. As a matter of principle, I have no problem with that. I will just say that the one example the government uses constantly of private sector involvement is the 407 corporation. And I guarantee you, the 407 users have been ripped off. Why have they been ripped off? Because the government decided it was going to find a way to get the maximum price it could for the 407 regardless of the consequences to the users of the 407. It took us, by the way, two years fighting through something called freedom of information just to get the request for proposal.

The 407 user is never once mentioned in the criteria of selecting who and how they're going to choose who is going to own the 407. It was all about who will give the government the biggest cash bonus, and by the way, the cheque was delivered the day the election was called. The 407 users were completely, totally abandoned. I repeat, when the government sold the 407 they said, "We've got a unique tolling mechanism of controlling increases, and after 15 years tolls might go up by three cents a kilometre." Let me tell you, in many cases it's gone from four cents a kilometre to 11 cents a kilometre—seven cents—in under three years. Not four cents, not three cents after 15 years, but seven cents after three years.

I looked at what's called the prospectus when the 407 corporation was raising its money. It said that to completely understand what you're investing in, you should read the tolling agreement. I was very interested in that because the prospectus by the 407 owners said they can take tolls up without limit. The government told us something completely different. So I said to the 407 corporation that I'd like to read the tolling agreement; they



refused. Although any investor has access to it, I and the public can't read it. The reason it's so important is because the 407 users, and we get dozens of calls on it, have been ripped off. The government sold it, not for the 30 years they promised, they sold it for 99 years. The government said—

**Mr AL McDonald (Nipissing):** On a point of order, Mr Speaker: I was sitting here today, and I might be new and I'm very proud to be from northern Ontario, but I thought we were here to debate Bill 151. I don't really know what 407 has to do with Bill 151.

**The Acting Speaker:** I think the point of order that you're wanting to emphasize is that the speeches are to be on the bill that's being debated. I'm listening very carefully to the member for Scarborough-Agincourt and he's crafting his speech in a very presentable manner, and it is Bill 151. I would ask the member for Scarborough-Agincourt to continue.

**Mr Phillips:** If the member from Nipissing had been listening to the Minister of Finance, she talked about the involvement of private sector partnerships in the waterfront. I am saying to him—he may not have been listening carefully—and to the public that the example the government uses for private-public sector partnerships is the 407 corporation. That is their jewel. I am pointing out to the public that if an integral part of the waterfront bill is going to be public-private sector partnerships, we have need of the protection of the public. That, Mr Speaker, is the reason I have talked about the 407 corporation, and the fact that still, after two years of trying to find out the details of the agreement that the government reached with the 407 corporation, we still don't get it. We still do not have access to it. We are, through the freedom of information office, in court fighting to get that.

Which leads me to the third point of our concerns about the bill—which, again, we will be supporting. That is the transparency, the public transparency here. I heard that the government may be proposing some amendments to increase the public transparency in this corporation, and we will await the government tabling those amendments to ensure that the public's business is done in public.

We have had a considerable amount of unfortunate experience with the public's business moving more and more out of public scrutiny. I use the 407 corporation as a classic example, where the investors, the people whose investment has gone from \$750 million to \$3 billion, or where anybody who wanted to invest had access to the information but we in the public have not.

The final point I'd make before I turn it over to my colleagues is the point I started with. Ontario SuperBuild has said that they are investing \$500 million in the waterfront. They said they are going to start that in 2000; none of it was spent in 2000. They said they were going to do it in 2001; none of it there. It's again in this budget.

Frankly, I must tell you that we in our party have some significant concerns about SuperBuild. My colleague Mr Cordiano is our critic for it. He and I met recently with

some of their representatives, but in my opinion, we are not getting a transparent view of what's happening at SuperBuild. In my opinion, it's because we do not have the same public access we would have if it were not a separate corporation. That's one of the reasons I have raised my concerns about the public-private sector partnership area, the need to, first and foremost, make certain that the public's interest is looked after. The worst example of the public's interest not being looked after is the 407 corporation.

We met recently with the SuperBuild. They said two years ago, "We are going to have \$10 billion of private-public sector partnership money spent in the province of Ontario over the next five years." We said in our meeting, "Can you give us the examples of that? Where are we in that \$10-billion list?" We are unable to get it. We are still awaiting it. If in fact this is a tool the government started working on several years ago—they said we would get \$10 billion over the next five years two years ago, and to date we are unable to get out of the government a list of those major private-public sector partnership projects.

1700

The waterfront is crucial to Toronto's future. I'm one who has not been particularly happy with the waterfront development that took place over the last 20 years. I think that development on Toronto's waterfront could have been better. I'm hopeful that with the three levels of government co-operating we can do a better job of what remains to be developed on the waterfront. Although there's some indication that while the waterfront corporation is kind of perhaps fiddling, an awful lot of other projects are going on under their nose that may limit Toronto's access to the waterfront. We have those concerns.

I repeat what I said about Mr Leach. I think it's inappropriate to be representing the 407 corporation on its board and to be the vice-chair of GO. It has nothing to do with his competence or his honesty. It's just not right. But the Minister of Finance today said no, it's quite all right. That's where we part company. That's where we disagree with Ernie Eves and the Minister of Finance. If that's all right, if that conflict's all right, then we've got a real problem, because then they can appoint board members here, presumably, with the potential for similar conflicts and feel it's all right.

We don't think so. We think the public wants our representatives there to be speaking solely on their behalf and not be wearing other hats. The transparency is extremely important, and a much better idea of how these private-public sector partnerships are going to work in the public's interest and will be transparent enough that we understand completely what arrangements are made.

We'll be supporting the bill and looking forward to the amendments, whenever the government will kindly give them to us, and look forward to further debate at committee.

**Mr Mike Colle (Eglinton-Lawrence):** It's always a pleasure to follow my esteemed colleague from

Scarborough-Agincourt, who, as you know, has been a long-time defender of the city of Toronto and the city and the people of Scarborough and the east end of the megalopolis to get things done.

I noticed that he does support the thrust of this bill, as we do. Like him, we're frustrated that there's been a lot of talk about the Toronto waterfront, yet nothing done. This has been sitting on the minister's or ministers' table for over a year. They promised money; not a cent has been spent. Something has to be done, because as this government fiddles, all kinds of opportunities are being taken away from future waterfront development by the inaction of this government. Daily, there are approvals for generating plants. Film studios and parking lots are all going up and down the waterfront. There's no authority in place to basically plan the Toronto waterfront, because the waterfront corporation has not been put in place.

Mr Fung and the Fungsters, as they call them, are really just sitting there in limbo waiting for some power. The one question is, will they have, for instance, the power to expropriate? As time passes, they're losing all kinds of valuable pieces of property on the waterfront. This act certainly doesn't give them that power.

This is like everything else this government does. When it comes to cities like Toronto, they have this one-size-fits-all approach. Whether it's Ingersoll, Toronto or Cornwall, we all operate under the same rules. One size doesn't fit all, because Toronto, by its very size, has to compete with Munich, London and Paris on a daily basis for jobs and investment, and it doesn't have the tools these other competitive cities have. They're basically without any power to raise revenues, to determine their own future. They had to wait a year to get this thing before us in the Legislature. A city like Toronto, to create jobs and prosperity, needs certain tools.

What this government has done is basically made Toronto unable to deal with its problems. We saw the housing problem. Toronto has been trying desperately to do something about housing. This government has basically given them nothing in terms of help to deal with the housing problem. It's so ludicrous that a city the size of Toronto can't, for instance, even write out a property tax bill without permission from this government. This Minister of Finance has to approve the wording on a property tax bill. That's ludicrous. If you want to change the name of a municipal ward in Toronto or the boundaries of the ward, you have to get provincial approval. If you want to get red-light cameras, which I fought for, installed in a city like Toronto, you have to get approval from the provincial government.

The provincial government wants to download all these responsibilities on cities like Toronto, wants them to take on more responsibilities, yet it gives them none of the tools that they require, as I said, to fix up the waterfront. Toronto wants to do something about the waterfront, yet this provincial government hampers them at every move. This act is a small first step but a very slow step in doing what they should have done a year

ago, because time is wasting and we're losing these opportunities for revitalization of our waterfront, which is a job generator and which is going to reclaim all that land.

A provincial government really exists here in this case to hamper a city that is pouring millions into the coffers of the provincial government on a daily basis. Look at the land transfer tax that goes from the city of Toronto every day into the provincial treasury, the gas tax and the PST: hundreds of millions. We even give the provincial government \$1.6 billion in property tax for education. Then the provincial government takes it out of Toronto and does whatever they want with it.

So we've got a city that's got challenges like the waterfront and we've got a provincial government that basically treats all the cities, really, under its jurisdiction as children with no powers. If you look at Royson James this Saturday in the Toronto Star, I think he put it very succinctly when he said, "Under Tory rule, the province has stripped away municipal powers and downloaded costs. And Ontario continues to treat its provincial capital like a child, forcing local politicians to plead and agitate and petition for the simplest policy change." Even the Provincial Auditor said that this provincial government downloaded \$154 million in extra costs on to the property taxpayer of the city of Toronto. So not only doesn't it allow it to get the tools to be competitive and create jobs, but it refuses to even let Toronto keep its own money to deal with the problems of public transit, the homeless and infrastructure.

In Toronto we rely totally on the property tax. No other city in North America or Europe depends totally on the property tax. Cities in Ontario have to depend totally on the property tax. It's unheard of. Even in Canada we've got a government in British Columbia that gives a portion of their gas revenue to cities. Quebec does it. Manitoba is about to give charter status to cities like Winnipeg so they'll have the powers to be more competitive and the tools to get things done in their city, yet in Ontario we are still in the Dark Ages. We've revamped the Municipal Act and all we did was basically continue to centralize power at Queen's Park at the expense of citizens and cities. Over 85% of our citizens in Canada live in cities. In Ontario it must be in the 75% range. Yet if you live in a city, you're unable to really have a say over your own city. It's always determined by Big Brother at Queen's Park.

These acts like the waterfront corporation should have been done quickly by the city of Toronto. Instead, they've had to wait for months, if not years, for this province to act so that Toronto can get to the point where they can clean up the waterfront and build a waterfront that's green, that's sustainable, that's part of the waterfront bioregion. Instead, again, we've got a provincial government that always puts cities last and does nothing but download costs on cities, and then takes money out of cities. I know that in the GTA they take out \$1.5 billion a year in gas tax alone. Yet the GTA cities, whether it be Mississauga, Toronto or Pickering, can't do anything



about gridlock. They can't do anything to build the infrastructure needed for GO to be expanded. They can't do anything but beg the provincial government.

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So the question is, if the provincial government isn't going to give the tools to cities to solve their problems, maybe the provincial government should get out of the business of telling cities what to do and let cities go on their own. Many people are saying, "What good is the provincial government to me as a citizen of Toronto? All I do is pay gas taxes, provincial taxes, and all I get is cuts to my local schools and my hospitals aren't run properly. What good is having a provincial government when all I get is aggravation?" Especially in the city of Toronto, when we pay the highest property taxes probably in Canada, if not North America, and we pay it continually, yet we get no appreciation of our challenges and needs.

The city of Toronto is not saying they want more. The city of Toronto is saying they want to keep their own darn money. That's all people are saying: keep the money that we pay in gas taxes, that we pay in provincial land transfer taxes and PST, and in our own provincial income tax, where we pay billions into the provincial coffers—keep some of the money in Toronto so we can regenerate our waterfront, we can fix our decaying roads, so we could maybe house some of the homeless. Instead, we hear this big sucking sound from Queen's Park, sucking money out of all the homeowners, businesses—big and small—in Toronto, and then we get nothing but lectures and we get nothing but aggravation from a provincial government that's just good at downloading and basically cutting services that they used to provide and asks us to provide, and then they don't give us the means to fund these services. When we're competing with Buffalo, New York, or competing with Montreal or competing, as I've said, with London, England, we can't compete because the provincial government has sucked all our power and money away.

This bill should have been passed a year ago. I don't know what it's been doing for a year. It's about darn time that you give Mr Fung and company the tools to do something down there, because, as I've said, we are losing the waterfront because of the delay and the stalling by this government.

We've got provincial lands sitting there—the Ataratiri lands are sitting there doing nothing, the port lands are sitting there. Meanwhile, this government is building 8,000 homes on the moraine in Richmond Hill and is about to give away 30,000 lots of provincial land to their friendly developers out there in Pickering without any public process. Why are they building homes on the moraine when they can be building them down on the port lands on that land that's a brownfield site? So it's about darn time that they started to respect the taxpayers of the city of Toronto, the citizens, and give them a say over their own money.

I'll pass it on to my colleague from York South-Weston.

**Mr Joseph Cordiano (York South-Weston):** I'm pleased to join this debate. Obviously we support this bill; however, the question that needs to be asked is, why has this bill been delayed for such a long time? My colleagues who've spoken before me have all made that point.

I think those of us who are from the city of Toronto and who love the city of Toronto—and that should include everyone in this assembly and everyone across the province, because the city of Toronto and the GTA in general are an economic engine for growth, not only of this province but the entire country—need to do everything within our powers to ensure that its viability is sustained in the future. It is the engine of economic growth.

As my colleague pointed out earlier, Toronto is on a world scale. It is a city state. It needs to be viewed that way because the city states around the world are what drive the economies of the world. We need to begin to realize that the powers that haven't been given to Toronto to do what it needs to do to ensure a viable economy for the future must be put in place.

This is one of those things that Toronto desperately needs in order to revitalize the waterfront. The waterfront is absolutely critical and vital to Toronto's future. It will spawn tremendous new growth. What this agency will do is offer some feasibility in terms of coordination, oversight, and ensuring that the public interest is put first.

Again, my colleague spoke about transparency and accountability. SuperBuild was brought up prior to this. SuperBuild is an important initiative, the government says. Well, let's talk about SuperBuild for a moment. Because if we are to understand how we move forward, and this government says that it wants private sector involvement, then obviously public-private partnerships, if they are to succeed, need to have a model in place that allows for transparency, that allows for accountability and that ensures value for money for the public. That needs to be put in place. This government has not done that. And if its recent history with respect to the sale of the 407 is an example of how we are to move forward, then all of us need to be very concerned. The sale of the 407 was nothing but a taxpayer rip-off. It wasn't value for money.

The 407 was sold for the grand total of \$3.1 billion. Sounds like a lot of money. But guess what? All of the experts that we have spoken to, anyone who is an informed observer of that sale, will tell you that the government should have had at least \$10 billion for the sale of the 407. All you need to do is look at the toll increases that have been imposed on users of the 407 to understand the tremendous power and revenue growth that the 407 represents in the future. The substantial bonanza that has been handed over to the private sector is beyond belief. It's in the billions of dollars in the future.

If that's an example of how this government intends to work with the private sector, to ensure that value for money is maintained for the public, then we are going to

have some serious questions in the future, and citizens need to be concerned.

With respect to the waterfront, it represents for the city of Toronto tremendous opportunity for the future, tremendous opportunity for growth. Looking at revitalization, looking at a spawning of a renaissance for the city of Toronto, that's what the waterfront represents. This agency will enable the waterfront projects to proceed. SuperBuild says that it's going to spend \$500 million. In fact, it made that announcement two years ago. It has failed to spend any of that money thus far. Nothing's gotten off the ground. Obviously this bill is delayed by two years. There doesn't seem to be the impetus and the real desire on the part of this government to ensure that Toronto moves forward. We should be moving forward with lightning speed to ensure that the economy of Toronto is vibrant in the future, to ensure that this area, which represents a huge land mass for the city of Toronto, has the kind of planning elements associated with it that I'm sure this agency will bring forward in terms of the discipline that it will bring to the planning process and the kind of work that it will do with the private sector.

Again, this needs to be accountable, it needs to be transparent, and at the end of the day we have to be able to ensure that there's value for money for taxpayers. I'm concerned because—and I've raised this question with the minister in the House—where's the accountability for SuperBuild? We have yet to see a financial audited statement. We've asked numerous times. We've asked for an accounting for SuperBuild and this government has failed to produce any sort of accounting. There are no statements for SuperBuild. There is no accounting for some of the money that has been allocated. SuperBuild intends to spend \$10 billion. That is what SuperBuild said it would spend over the next five years. They also plan for an additional \$10 billion from the private sector to match those funds.

To date, the government claims that it is spending \$13.1 billion. There's no breakdown. I've asked for this and my colleague from Scarborough-Agincourt has requested this as well; we've asked for a breakdown between what is private sector monies and public sector monies for SuperBuild. The public should have a right to know where those monies are being allocated, what are private dollars and what are public dollars. I don't think that's too much to ask for, and yet, since SuperBuild made its announcement two years ago, we have yet to see a financial document that accounts for the expenditures of SuperBuild.

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I think it would be prudent on the part of this government to make available that kind of document which discloses the breakdown of what's private and what's public in terms of dollars spent. That would pave the way for future agreements, future 3Ps so-called: partnerships between the public sector and the private sector. Because we are believers in co-operation between the private sector and the public sector, we need to ensure that we

put in place a model that is transparent, that ensures there's value for money for the taxpayers, so that we don't have any more 407s in the future, where the taxpayers are clearly on the losing side and where in the end they're getting it in the neck too because they've seen toll increases that are unbelievable. We need to make sure that whatever is done in the future, particularly with the Toronto waterfront, there is this model in place.

Again I would say to the government, we're happy to see that you're moving forward with this bill, but why has it taken so long? It's fair to say at this point that Toronto has been given short shrift in terms of being at the top of the list for priority initiatives by this government. The waterfront report that was brought forward by Mr Fung received great support, was well received by the citizens of Toronto, and there was a great momentum to move forward. I am hopeful that with the passage of Bill 151, with the agency to be put in place, we will move forward more quickly and that in fact there will be a great initiative put forward by the private sector to involve themselves in these projects.

The Ataritari lands need to be developed. We need greater intensification in the city of Toronto to accommodate the growth that's foreseen in the future, the population expansion. Those lands are an integral part of this. The waterfront lands right along the lake need to be a part of this.

We have a homeless problem in Toronto that can be addressed by this. We have a shortage of affordable housing which affects the economy. One of the things I want to point out is a great report that came down from one of the banks. The Toronto-Dominion Bank put forward its economic report. In fairness, it pointed out that there are weaknesses with respect to infrastructure in Toronto, but it points the finger at both the provincial government and, I dare say, the federal government. What it says about the provincial government that should be undertaken is with respect to infrastructure.

Post-secondary institutions need to be shored up. As a result of lagging behind in terms of building the infrastructure that's necessary, we are now 13th out of 16 jurisdictions in North America in terms of our competitiveness. We are falling behind. I say to this government, we need to move forward with infrastructure spending with lightning speed. It's not happening and we're disappointed on this side, but we do support this bill.

**Mr Dwight Duncan (Windsor-St Clair):** I'm pleased to join the debate on Bill 151. I want to begin by indicating my support for the bill. I intend to vote in favour of the bill. The Toronto waterfront and Toronto itself are important gems in the provincial crown. It is important and imperative that this development—redevelopment, if you will—of the Toronto waterfront go ahead.

Having looked at the bill and reviewed it, I think the issues contained within it have been adequately and properly addressed by the government within the context of the bill itself. What Bill 151 attempts to do is set out, or begin to set out, if you will, the legal and regulatory structure that will govern the redevelopment of the



Toronto waterfront lands or the Toronto Waterfront Revitalization Corp.

The broader context of it in Toronto and what's happened in this municipality is quite a different matter. The Toronto waterfront, in my view, historically has developed over time in a way that I think all of us would agree was inappropriate. I think all of us would agree again that there has not been the kind of vision or oversight that was needed. So this step and the funding that's been committed to by the federal and provincial governments and the city of Toronto are important steps in redeveloping that waterfront.

I regret that this government hasn't shown the same understanding of the other issues confronting this city as they have on this one. My colleagues talked about the fire sale of the 407, the disposition of the 407 at fire-sale prices, with guarantees of higher tolls for commuters on the 407 going into the future. That was regrettable.

The nature and the way the government has treated large urban centres, not only Toronto but Windsor, Ottawa, Hamilton, Sault Ste Marie, Thunder Bay, Sudbury, has betrayed those cities and in my view is leading us down a path that we will all regret some day. We are beginning to see the problems already: municipalities that can't afford the burden that's been placed on them with respect to the provision of ongoing services, let alone fund the kind of infrastructure that is contemplated here.

I would call the Toronto waterfront redevelopment not only a healthy development in terms of the residents of Toronto but it's very much a part of tourism infrastructure and what is needed to sustain the tourism infrastructure here in Toronto. We've seen the reports of how it's down, how Toronto is not remaining competitive with centres such as Montreal and others. So it is important that this waterfront revitalization go on, but what's more important is that we view not only this form of infrastructure but all forms of infrastructure as important to the continued health and vitality of this great centre, which is not only the capital of our province, it is our country's financial capital, it is the entertainment capital of this country and it is very much a world-class city.

Waterfront redevelopment is happening not only in Toronto. Indeed, in my community, waterfront redevelopment has been an ongoing project now for close to 40 years. Our community has now gained control of all the land stretching from the Ambassador Bridge to Hiram Walker. It was the vision of the late Mayor Bert Weeks and still very much a going concern for Roy Battagello, seeing that effort come to fruition.

We now have all the lands in the city's possession. The old buildings and structures that have been there have been removed. The western parts of the waterfront lands have been well developed. They are now very mature parklands. The eastern portions that are in my riding were acquired due to the good work of the David Peterson government, which arranged for the city to acquire that land. Parkland development has only begun. There has been a seeding over of grass, and trees. So that

is only in its infancy. But what I want to say in terms of waterfront revitalization is that that has provided the kind of boost to our economy that I'm sure the Toronto Waterfront Revitalization Corp and what comes out of it will do.

I also intend to press this government to pay the kind of attention to the Windsor waterfront lands that they are paying to the Toronto waterfront lands. Indeed, there has been no provincial money involved in the parkland development. The NDP government provided a certain amount of funding for seawalls, as did the Liberal government. I anticipate an announcement from this government on some of that. But in terms of the parkland development, we look forward to the same kind of commitment from the Eves government on the waterfront redevelopment in Windsor as we see here in Toronto.

Waterfront revitalization is important. All communities in this province—I know St Catharines has a waterfront. We have, for instance, the Niagara Parkway Commission, the St Lawrence Parkway Commission, the St Clair Parkway Commission, and I hope this government will consider my proposal that we create the Detroit River Parkway Commission. That river was declared a heritage river by the federal government. Our community and the community of Detroit, Michigan, are drawing together to begin the cleanup of that river. In order to allow our parkland and our economic infrastructure to develop, it's our hope this government will treat the Windsor waterfront in a manner similar to the way they're treating the waterfront redevelopment and revitalization here in Toronto.

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I should also say it's incumbent on the federal government to do that as well. I look forward to working with them as we move forward on that particular issue.

Overall, this bill is certainly supportable on a stand-alone basis. I regret that the context we debate it in is one of neglect of this city and of all of Ontario's large urban centres: a systemic neglect of those inner cities; a neglect that all of us will regret very soon.

I yield the floor to my colleague from St Catharines.

**Mr James J. Bradley (St Catharines):** As is the case with the member for Windsor-St Clair, I represent a community which has a considerable waterfront. In fact, the entire north part of St Catharines is waterfront; it's Lake Ontario.

In the Niagara region we have, of course, the Niagara River between Lake Ontario and Lake Erie. I recall a political leader who actually came to Niagara Falls and was saying the water was running a different way than it was, but we know it runs down from Lake Erie, as you would know—you know that area better, the Lake Erie area—down to Lake Ontario, and we have the Welland Canal.

We have a wonderful waterfront as well. In order to ensure it is kept as it should be, it requires some considerable assistance. That's why we would like to see a waterfront revitalization corporation comparable to the

one in Toronto that we're talking about this afternoon in the Niagara Peninsula. I think that would be very helpful.

Unfortunately, this government has allowed all kinds of development to take place on the waterfront which is excluding the general public from the utilization of that waterfront. That's most unfortunate. Then, I must say, this government is allowing an awful lot of what we would call the paving of the farmlands in the Niagara Peninsula. I hope that can be stopped by the designation of the Niagara region as an agricultural preserve with, of course, all of the assistance we can provide to the farmers who would be part of that, and a significant part of it.

I too am worried, as is my colleague from Scarborough-Agincourt, Mr Phillips, about conflicts of interest when you set up such a board. You always want to be assured those conflicts of interest are not there because we worry, as I think he said justifiably, about the conflict of interest that apparently exists with Highway 407's board. We all know how unpopular, at least in terms of the cost of using Highway 407, that corporation can be. That is a boondoggle to beat all boondoggles. It may now be less of a boondoggle than the one we just saw with the racetrack just east of Toronto and the number of slot machines going into it. Nevertheless, this is very significant when you see the gouging that takes place of people who use Highway 407.

Mr Speaker, you and I have both from time to time crossed the border and travelled in the United States, and you know that on many of their main roads they have toll highways. I can't ever recall paying anywhere near—say, if you're going from Buffalo to Cleveland or something like that, or from Niagara Falls to Boston, you wouldn't pay near what you pay to travel simply across the length of Highway 407.

**Hon Mrs Ecker:** Oh, really?

**Mr Bradley:** That's correct. It's an outrageous amount of money that is charged to go from one point to the furthest point on Highway 407. All kinds of people phone my office regarding that, and the fact that you use your hammer; that is, you will not renew their licence if they haven't paid their tolls. It's a good deal for this consortium that runs that.

**Hon Mr Stockwell:** We don't do that any more.

**Mr Bradley:** For so long you did that. I hope the pressure of those of us in the opposition has prevented that.

It was a great deal for the private sector. It was sold just before the election in 1999 so you could give the appearance of a balanced budget on that occasion. It's yet another fire sale. I hope that doesn't happen with the Toronto waterfront.

The member who is now Minister of the Environment surely has some concerns about the visual environment as well as the other parts of the environment. As a senior member of what we call regional council—you would have called it Metro council in those days; and who knows whether he'll ever return to that level of government?—he would know that there was a time when people thought, "Wouldn't it be nice to have a vista

looking into Toronto that wasn't parking garages almost right up to the lake?" There are so many tall buildings right close to the lake now which certainly do not have a nice view, for people coming in from the lake, of Toronto.

Yet for many years, back when he was on council in fact, Toronto was quite progressive under the leadership of people such as David Crombie, in those days—

**Hon Mr Stockwell:** Paul Godfrey.

**Mr Bradley:** Paul Godfrey, the Minister of the Environment would say; a good friend of his.

I think we need a corporation of this kind and I think we need a board of this kind. It needs to be revitalized.

As we look at many cities and examine those that have been successful and those that have not, it's amazing what some cities have done with their waterfront, even cities about which people would laugh if you had said, a generation ago, were a nice place to visit, today they would not. One that comes to mind that I've read an awful lot about is the city of Baltimore, which has a nice waterfront now. There are other cities; Boston is yet another one. There are cities in Canada that are working now on a nice waterfront. It makes a big difference. It's a genuine asset to a community.

I hope that what we're going to see for all of the people of Ontario is a waterfront that is completely revitalized in Toronto. There has to be a significant investment. A good portion of that is going to be private investment; we expect that. Part of it is going to be public investment.

Where the public has a role is to ensure that it is the kind of development and redevelopment which is going to be positive for the entire population and not just for the developers, many of whose names appear on the list of donations to leadership candidates.

I found it most interesting to look at the list. The Minister of the Environment is here today. His list was modest, compared to many. His expenditure was modest, compared to many, whatever that means; it was certainly modest.

I'm concerned that not only those who are in the development industry benefit from the revitalization of the Toronto waterfront, but rather that the entire population, people from Stratford, St Catharines or Windsor, can come here and enjoy that waterfront as well. So conflict of interest on that board is going to be important. Whenever you're making these appointments, you have to ensure that the people who are on these boards don't have a conflict; in other words, that a decision they would make would benefit themselves or benefit some of their friends.

**Hon Mr Stockwell:** We get it. It's not that complicated.

**Mr Bradley:** The Minister of the Environment says, "We get it." I sometimes wonder if we get it, because, as I say, we've had a few situations that have arisen in this House where people are asking legitimate questions about someone getting a considerable benefit, sometimes



worth millions of dollars, and another person getting a donation. It's just the visual of that—

**Hon Mrs Ecker:** Based on what evidence?

**Mr Bradley:** If you want to get to the racetrack—you're obviously making some reference to that—we see up to 800 slot machines allocated to a very small and modest racetrack, promised to it, and then we see donations made to leadership campaigns that are quite substantial donations. So one can draw a conclusion that perhaps one was related to the other. I'm impartial on this. I simply say the questions are being asked about this, I think legitimately.

I'm going to go back to the point that one of the problems with our whole political system throughout North America and many places in the world is the corrosive effect of money on the elections and the system. I mean, these are substantial donations.

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So that's why we want to ensure, I say one more time for the Minister of the Environment, that when the board is appointed, the people do not have the conflicts of interest that have caused such a great problem with Highway 407, where the customers in this province, the drivers, the motorists, the vehicle drivers in this province, are being gouged by a corporation that had a great, great deal, a very favourable deal, given to them by the Conservative government, with Mr Eves as the Treasurer of the day.

**The Acting Speaker:** Questions and comments?

**Ms Shelley Martel (Nickel Belt):** Normally my colleague Michael Prue from Beaches-East York would be here listening to this debate because he is the critic for municipal affairs. He's down in the education estimates this afternoon. But I know that what he said when this bill was introduced on December 11 relates to what my colleagues in the opposition said earlier. So let me just read into the record some of the concerns he related, because they have been expressed here a little bit this afternoon.

The first concern was that the lands really remain public and for the benefit of the greatest public good, and I agree with that. This is land that belongs to the city of Toronto, belongs to the province in some cases. It is something we have a trust over, and we really do need to make sure we benefit the greatest number of people.

He said very clearly, "We do not need to repeat the mistakes of the city of Toronto and the province and the federal government around the harbour front, where all of the prime public lands are now owned by condo owners. We do not want to see, and I think nobody in this House wants to see, those lands sold off to the highest bidder and have condos right to the sky, blocking out the views of people who want to come down and use those public lands." I agree with that. These are important assets. This government has to guarantee that they are not sold off to the highest bidder for the use of the rich and famous, to the exclusion of the rest of the public, especially in this city, if you want to make it livable.

Secondly, he raised a concern about Toronto's official plans and where the reference was to that in the bill. I don't think there is a reference to that in the bill, either to say that they have to be followed or not. I would suggest to the government that the bill should be amended to make it clear that whatever goes on down at the harbour front must relate to the city of Toronto's official plans, and to make that clear in the bill.

**Hon Mr Stockwell:** That goes without saying.

**Ms Martel:** No. I say to the minister who is here that it's not dealt with one way or the other in the bill as it currently stands. I think it would make some sense to have an amendment moved to clarify that point.

**Hon Mrs Ecker:** I'd like to thank the honourable colleague from the third party for her suggestion on that amendment. We'll take that back and take a look at it.

The Liberal Party here likes to cast aspersions on people. They like to say, "Oh, gee, maybe there's some terrible thing here. Somebody gave somebody money." Well, it's interesting. When somebody gives the Tories money, that must be a big plot, but when Bay Street gives Dalton McGuinty a million dollars in one night from the business community and he stands up and brags about it in print—\$1 million: "I set a world record," he says, "for raising money from Bay Street in one night"—somehow that's not a conflict. Somehow there aren't any questions about Dalton getting money from Bay Street; it's only when someone chooses to give their money to the Conservative government, suddenly that's a plot. Well, this hypocritical approach is not appropriate.

Also, just to make a couple of comments, of course there are going to be conflict-of-interest guidelines, competitive guidelines, procurement guidelines to make sure there is no conflict on this board. That has been stated. All three levels of government want this.

They've complained that it took too long to do this. Well, the reason it took so long is because the federal government was not at the table with this. We put our commitment on the table. I didn't hear them. I didn't hear the Liberals stand up and say, "Ottawa, please help Ontario to move forward on the waterfront thing." They didn't do that. Ottawa, thank you, has come forward. We've got a good partnership. We are now moving forward. I'm pleased they're going to support this because it is an important investment in the Toronto waterfront. It will make a big difference to this city.

**Mr Tony Ruprecht (Davenport):** The Minister of Finance makes a very strange comparison between the Liberals getting money and the money right now that is befuddled when it comes down to the racetrack. So let's get this clear. I want to talk about that more in detail, but this is not the time to do it, obviously. This is the time to talk about the bill that's before you.

Do you remember when the first Huang and Danczkay buildings went up downtown and covered up the waterfront? What did we say when we were councilors at that time? We said, "Never is this going to happen again." That was the lesson. That was the beginning.

**Hon Mr Stockwell:** That's what I said. That's not what you said.

**Mr Ruprecht:** Yes, that's what you said. We're not here to argue about this, Chris. We're not here to argue about what you said or what I said, what the previous council said, what Norm Gardner said.

Anyway, to make a long story short, we don't want to see this repeated on a continuous basis. We're trying to ensure that this is not continuous. These lands must remain in public hands. If they remain in public hands, obviously there's going to be at least an opening, so when you drive by the Gardiner you might be able to see the water again.

It's obvious. This bill before us is not a bad bill, but at the same time there should be some caution, and the caution must be reiterated; that is (1) we don't want to see any money changing hands, (2) it must be an open and easy process to understand and (3) above all else there has got to be a fit, there has got to be a sync between the Toronto planning act and what's happening here in the Legislature. That has to be done in unison.

**Mr Martin:** I have to say, as I listened this afternoon and considered this bill, I'm disappointed that the government has once again missed an opportunity to indicate that it really cares about all the people of the province of Ontario. Here they are talking about developing the waterfront when yesterday they sat back and watched a group of our most vulnerable, at-risk people just simply evicted, kicked off a property that they moved on to because they had no place else to live—yes, to squat, to call home for a moment. They didn't take that opportunity to pull together their corporate friends, Home Depot, sit down with the municipality and work out a deal that would send a signal that would send up—

**Hon Mrs Ecker:** They did try.

**Mr Martin:** No, they didn't try. The only effort they made was to call the cops, bring them in and kick the people out. There was no effort to send a signal, to pull those people together, to sit down and say, "OK, what can we do with this property? How can we work with Home Depot, how can we work with the folks that are there, with the municipality, the provincial government and federal government to set up a project that would indicate to the province what it is that you intend to do under the aegis of this particular bill."

You had an opportunity, but like so many other opportunities during the last seven years, you missed it because you didn't understand that when you govern, you govern for everybody, that the benefits that accrue from government and decisions that we make have to accrue to everybody. Most fundamental to all of that is the responsibility that you have to make sure that you look after, that you provide decent, affordable housing—subsidized housing—for those amongst us who are most at risk and most vulnerable.

Our caucus is going to be watching this bill very closely and monitoring it to make sure that what happened yesterday on the waterfront to the tent city people doesn't happen again under this bill to the so

many people who, as each day goes by, find themselves in this rich province without a place to live.

**The Acting Speaker:** The Chair recognizes the member for St Catharines.

**Mr Bradley:** I welcome the opportunity to respond to the responses.

First of all, one of the things I'd like to know, because I saw the Conservatives pull out—they have a staff which is so extensive, they can pull anything out of anywhere, I'm sure of that. A highly paid staff as well; much more highly paid than those of us in the opposition have.

I want to note one thing that was said to differentiate the Liberals and the Conservatives. At the last fundraising dinner that the Liberals had, the leader of the Liberal Party, Dalton McGuinty, specifically said to an audience, which had some people from Bay Street there, that he would not proceed with the \$2.2-billion tax cut—right to those folks. The difference is, when they gather for the Conservative fundraiser, there's nothing but presents for those who are there. That's the difference. I wanted to point that out.

1750

**Mr David Caplan (Don Valley East):** Quid pro quo.

**Mr Bradley:** Exactly.

I want to say as well that no one on the government side noted, as I read in the newspaper, that Ernie Eves, our Premier, has now come around to our point of view that Kyoto will not cost jobs for the province of Ontario. I read it in the paper and it had to be true. I don't know whether he'll come to Stratford or other parts of Perth county, but I know that his good friend Ralph Klein, that wonderful environmentalist from the west whose views on the environment may be similar to our present environment minister—I'm not certain of that, but they may be somewhat similar—is going to visit Ontario to do the dirty work for this government that wants to be seen to be environmentally sensitive but can bring in Brother Ralphie to tell the people why the Kyoto accord and all the environmental action we want to see taken has been taken.

Other than that, I'm happy to hear all these comments from members of the opposition and the government.

**The Acting Speaker:** Further debate?

**Ms Martel:** We said earlier, at the start of the debate, that my colleague Michael Prue will do the leadoff for us when next this bill is debated, but we have a few minutes to deal with this and I want to put some of the concerns on the record. I know the Minister of the Environment and the Deputy Premier are thrilled to hear that, but I actually offer this up in a serious manner, so I hope you'll accept it as I try and give these.

The first three concerns really have to do with transparency and accountability. We have a major corporation here that will be responsible for some very significant decisions and some very significant expenditure of public money. I think what you really want to do is ensure that that corporation, to the fullest extent possible, has operations that are transparent, that the working that it does is available to the public and that there is clearly a



sense of accountability of the decisions being made and the money that's being spent. So there are three concerns that I have with respect to the bill that is before us.

First of all, the corporation is deemed not to be a crown agency within the meaning of the Crown Agency Act. Therefore, it doesn't fall within the provisions of the Freedom of Information and Protection of Privacy Act, nor does it fall within the municipal counterpart to that same act. I've got to tell you, I don't see a reason for that. I don't understand why you want to go there and I think it will just lend to a perception that you don't want to have, that a major corporation is making big decisions with big money behind closed doors. I think it makes a whole lot of sense for this government to find a way to have that corporation come under the provisions of either the provincial act or the Municipal Act. I don't see the reason—and perhaps the government will explain this as we continue to deal with this bill—for this corporation not to be included. I just think it sends all the wrong signals and is not a good way to continue to deal with the operation of what will be some very significant changes down at Toronto's waterfront.

Secondly, with respect to the preparation of the business plans that come under section 8, there are a number of bits of information that have to be included in the business plans, and those are listed: a description of the major activities and objectives of the corporation for one year and the next number of following years; a description of the policies and strategies of the corporation; a description of the budget for the corporation to achieve those objectives etc.

I note that there is nothing that's clear in this bill to say that providing that business plan to the public is a requirement of the corporation. I don't see it listed. Perhaps I'm to assume that that will just automatically be done, but I don't see a requirement under section 8 where it talks about business planning and the contents, that that actually be given to the public. It says that a copy of the plan would be given to the Minister of Transport Canada, the Minister of Finance and the mayor of the city of Toronto, but as far as I can see, it doesn't go further than that. I would think that you'd want to make those public documents. Again, I repeat, if you want to make it transparent, if you want this an accountable corporation, those details, that kind of information should be broadly available to the public, not just to ministers of the crown, who may share them or who may not, or not just to the mayor, who may decide to share those contents or not.

Thirdly, this has to do with public meetings. There isn't a requirement in the bill for the corporation to hold open meetings, as other city agencies are required to do. I understand this is not exclusively a city agency, but certainly there are going to be municipal representatives on it. The city will have the choice to do that. I think that, to the greatest extent possible, meetings of the corporation, their deliberations, should be open, public meetings. The public should have a chance to come down and hear what's being said, to see what the deliberation is on

the budget, to see what the deliberation is with respect to the initiatives the corporation wants to undertake.

I think it should very clearly be detailed in the act that, to the best extent possible, the meetings of the corporation that will be dealing with very important public issues and frankly very important public assets should be meetings where the people in this city have a chance to go and hear what is said and see who says what with respect to the decisions that are being made about policy objectives, with respect to decisions that are being made about this budget.

Those are some of the changes I would encourage the government to make if they really want to have a corporation and a process around the development of the waterfront that is very much transparent and is accountable back to the public this corporation is supposed to serve.

Secondly, I have a very major concern with respect to affordable housing. I look on page 2, under section 3(1), with respect to the objects of the corporation, and there are a number of them that are listed. What I don't see is any mandate or object on the part of the corporation to actually build affordable housing. Section 3(2) talks about residential and recreational communities. It doesn't say those residential communities are going to be ones that the majority of the people in this community can actually afford to live in.

I'm not interested in seeing a lot of development of condominiums for the rich and famous down on the waterfront, or that we develop this part of the waterfront as an enclave for the rich and famous. I really think this government has to assure all of the public through this bill that the assets that are down there, any sale of the same and anything that is created down there is going to be to the benefit of the greatest number of us. I think that means the development of affordable housing. We have a serious affordable housing shortage in this city, and passage of this bill, and these lands, present an opportunity for the government to do something about that.

In that respect I would encourage the government then to take a look at some of the provisions of the private member's bill that was put forward by our leader, Howard Hampton, in December 1999. That bill was called the Toronto Waterfront Fair Housing Act. If I might, Mr Speaker, just read into the record some of the provisions—I know it is getting late—there are two specific provisions that I think could apply to this bill and frankly should be incorporated in the bill if the government is actually serious about ensuring that affordable housing is built on the waterfront.

They include: "The bill requires at least 25% of the housing built on the Toronto waterfront, after the bill comes into force, to be affordable housing."

Secondly, "The bill"—that is, the private member's bill—"requires the Minister of Finance to consider funding the construction of non-profit housing near the Toronto waterfront, in an amount equal to the price of any crown land on the waterfront sold to a person who is not a public authority."

I think if the government would look seriously at these provisions, it could find a mechanism whereby much of the public land on the waterfront would be used to build affordable housing. Then we could guarantee that it wouldn't just be an enclave or condominiums for the rich and famous but that the greatest number of people in this city could benefit. The lands on the waterfront are an

important public asset. They should be used to benefit the greatest number of people. Significant building of affordable housing would take us a long way there.

On that note, I would complete my remarks.

**The Acting Speaker:** It being 6 o'clock, this House stands adjourned until 10 am tomorrow.

*The House adjourned at 1759.*

## ERRATUM

No.	Page	Column	Line	Should read:
31	1512	1	19	would generate \$146 million.



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## Legislative Assembly of Ontario

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## Assemblée législative de l'Ontario

Troisième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Thursday 26 September 2002

Jeudi 26 septembre 2002

Speaker  
Honourable Gary Carr

Clerk  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 26 September 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 26 septembre 2002

*The House met at 1000.  
Prayers.*

### PRIVATE MEMBERS' PUBLIC BUSINESS

#### FLAGS AT HALF-MAST ACT, 2002

LOI DE 2002

#### SUR LES DRAPEAUX EN BERNE

Mr Chudleigh moved second reading of the following bill:

Bill 172, An Act to require that flags be flown at half-mast at provincial government buildings to honour Ontario police officers, correctional services officers, firefighters and ambulance workers who lose their lives in the line of duty / *Projet de loi 172, Loi exigeant la mise en berne des drapeaux qu'arborent les édifices du gouvernement provincial en l'honneur des agents de police, des agents de services correctionnels, des pompiers et des préposés aux services d'ambulance de l'Ontario qui perdent la vie dans l'exercice de leurs fonctions.*

**The Acting Speaker (Mr Michael A. Brown):** The member for Halton has up to 10 minutes for his presentation.

**Mr Ted Chudleigh (Halton):** I rise today in the House to speak to my private member's bill, Bill 172, the Flags at Half-Mast Act, 2002.

Every day in this province, our communities are being protected by the men and women of law enforcement and emergency services. These men and women have chosen to spend their lives protecting the safety and security many of us take for granted.

Our government feels, as I believe all people in Ontario feel, that Ontario should be a safe place to live, work and raise a family and these front-line staff make that dream possible. They selflessly go off to work every day to do a variety of very challenging tasks.

There is the ambulance attendant or paramedic, who leaves every day not knowing what challenges may lie ahead. They may be faced with a small child who has taken a tumble off a bicycle and requires some minor medical attention. They may be faced with a teenager or young adult who has mistakenly had too much to drink and, sadly, gotten behind the wheel of a car and, unfortunately, paid the consequences with a horrific accident. These terrible accidents may require metal-

cutting devices to get people out of the car, to extricate the bodies.

I know from personal experience that police officers and ambulance attendants can go through weeks and even months of nightmares after these terrible crashes.

Ambulance drivers are often faced with the needs of a senior citizen who is experiencing the first signs of a heart attack. They're frightened and alone. These men and women step up to the plate and perform a miracle by getting these people to our hospitals for treatment.

They are not the only ones to face this daunting task. There is the police officer who spends endless nights and days protecting our children and our families from those people in our society who don't feel that the law necessarily applies to them. They're often called to defend those who can't defend themselves, not knowing exactly what awaits them in the night.

I remember one evening. I was on my way back from a meeting in Niagara, a late-night meeting. It was about 2 o'clock in the morning and I got pulled over by a police officer on the QEW. I'd been speeding. When he pulled me over and I was well off the road, I immediately opened my door so the car light came on. When the police officer came up to the car, the first thing he asked me was why I did that, because it was unusual. Police officers will always be ready and prepared for the unusual. I told him I did it because if I were him, pulling someone over at 2 o'clock in the morning on the QEW, I'd want to know what was inside the car at that particular time. So I opened the door so the lights could come on. We had a long conversation about his duties, what he went through, the experiences he had, the pressures they put on his personal life, the kinds of things that he goes through on a day-to-day basis.

Yes, he did give me a ticket, even after our lovely conversation. I kind of thought I had him coming my way, but he did his duty, and well he should. I deserved that. He was benevolent, however, as I recall. I think that's the last ticket I've had, too. However, it did give me pause to reflect on the way home about the commitment that these people make to their jobs and to the personal safety that our communities have.

There's also the firefighter, who can spend a shift rescuing a young family after an unfortunate accident or providing some much-needed attention at the scene of an automobile accident. Firefighters put on asbestos equipment and walk through a wall of fire in order to save us or our valuables or our loved ones at a time of a house fire. Who among us, when we're lighting a gas

barbecue, doesn't jump back when it ignites with a little fire, and yet these people walk through those walls of fire.

We must not forget about the often-unspoken frontline staff of Ontario's correctional facilities. They spend their days watching over criminals who you and I might be appalled to share our company with. They are there every day as they undergo rehabilitation both inside and outside the walls of our jails and detention centres.

I think everyone in this House would agree that the contribution these individuals give to the safety and security of their communities was brought to the forefront of our minds with the horrific attacks of September 11. It was during that tragic time in three American communities that we all realized what heroes these members of law enforcement and emergency services truly are. When the rest of the world was struggling with shock and fear, they rose to the occasion and rescued and recovered those who were at risk and those who were already lost. In so doing at the doomed World Trade Center, many of them lost their lives.

We have just experienced the first anniversary of that tragic day, and in Ontario and across the rest of the world we commemorated the occasion by remembering not only the civilian victims but the victims from law enforcement and emergency services communities as well.

Sadly, as with any other day, these men and women left for work not knowing what could face them in that day's shift. They knew, as they know every day, that they may never make it home. They knew, as they know every day, that when they say goodbye to their families and their loved ones it may be the last time they do so.

It is a tragedy when anyone passes on under any circumstances, but what is even more tragic is when an individual passes on from performing the most selfless duty—protecting the safety and security of a community.

Fortunately, these tragedies are few and far between. However, when they do occur they are forever etched in our memories. Just this past year, we have experienced the death of four police officers and firefighters in Ontario.

Rick McDonald was one such police officer. He died in the line of duty in Sudbury in 1999. A public building in my riding of Halton didn't have their flag at half-mast immediately after his death. I inquired why and I was told it happened a long way away up in Sudbury and they didn't feel the need, and it was a voluntary thing as to whether or not they lowered their flag.

That is why I feel it is so imperative to properly recognize the passing of these individuals no matter where it happens in this great province of Ontario so that all Ontarians can reflect on a hero just called and indeed all the heroes who are police officers, firefighters, paramedics, ambulance attendants and correctional officers who work and live in our communities and across this province. That is why I am introducing Bill 172, An Act to require that flags be flown at half-mast at provincial government buildings to honour Ontario police officers, correctional services officers, firefighters and ambulance workers who lose their lives in the line of duty.

1010

If passed, this bill will require all flags to be flown at half-mast in the event that one of these everyday heroes loses their life while trying to protect ours. All flags at government buildings, schools, hospitals, police stations and correctional facilities will be required to be at half-mast for a specified period of the day the death is announced and the next full day.

I understand it is a small token on our part to pass this bill, but I think it will show the men and women who selflessly sacrifice their lives for the protection of others that their daily efforts do not go unnoticed. A flag at half-mast is something most people notice, and they ask why, and they find out what happened and then they have time to reflect. It will show these heroic individuals that their lives are recognized and honoured on a day-to-day basis.

I would ask all members of this House to join me in support of Bill 172 for the families and loved ones of those whom this bill would honour.

**The Acting Speaker:** Further debate?

**Mr Michael Bryant (St Paul's):** Obviously, Dalton McGuinty and the Ontario Liberals support this bill. We thank the member for bringing it forward. It is a bill which seeks to, among other things, address the need for public, formalized rituals in our province to ensure that we celebrate those, that we mourn those, that we exalt those who have played a part in the tragic events of September 11, but also that we acknowledge those, exalt those and celebrate those who have all along been engaging in these heroic activities.

I think there's no doubt that the public impression of police officers, correctional services officers, firefighters and ambulance workers, who are really the focus today in this bill, is that they have always been engaging in the same activities as they were before September 11. September 11 provided an opportunity for the world to refocus, if you like, and to see on a scale unimaginable before the lengths to which these people would risk their lives for others, would engage in acts of rescue that the vast majority of us really could not contemplate. Yet this is what they do for a living.

I should also say that I think it's important that we do this, and that in fact we legislate this for the reason that was just explained by the member sponsoring this bill. It means that we are all engaging in this. It provides, I think, a legislative sanction to ensure that everybody in this province understands the importance of this, the importance of the ritual of flying the flags at half-mast, and the meaning there too. And as we continue to hear in popular culture and in our legislative culture efforts to consecrate this important ritual, I think this bill will be one fine step along the way.

I know a number of members in our caucus want to speak to this. I'm going to close with some words from the Boss—not my boss, McGuinty, but Springsteen—who said, in honour of those who have fallen on 9/11,

May your strength give us strength,  
May your hope give us hope,  
May your faith give us faith,  
May your love give us love.



**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm certainly pleased to join in the debate on second reading with respect to Bill 172, the Flags at Half-Mast Act, 2002, brought forth by the member from Halton.

Certainly the intent of flying the flag at half-mast for a period of mourning to honour police officers and also firefighters really has been applicable in my riding this past year, unfortunately. We had earlier this year a very valiant and brave firefighter by the name of Billy Wilkins who worked for the Barrie fire department, a very young man who was tragically struck down trying to fight a fire in a private residence. The outpouring from all over the province, let alone from the community, in terms of not only the shock and the dismay but also the respect being paid and put forth toward a firefighter of that young an age and that valiant an effort, touched the community very, very deeply.

Shortly thereafter—too shortly thereafter, this past summer—in a meaningless, tragic event, a South Simcoe police officer by the name of Al Kuzmich was stuck down on the highway while in pursuit of a stolen motorcycle. He was struck down while performing his duties, a young man with a young family, two young boys. The funeral service, which was held in Barrie at Collier Street United Church, once again showed the outpouring of support from all the police services across the province and from the community—shock, disbelief, and just a tragic, tragic event taking away the life of a young man who had so much to offer not only to the community but to his young family.

Certainly the flags being flown at half-mast was never an issue with respect to my particular riding, where we've seen two tragic events in the past year. But I know that in terms of what the member from Halton is bringing forth here, it's not only for police officers; it's for correctional services officers, firefighters and ambulance workers who lose their lives in the line of duty. Billy Wilkins and Al Kuzmich lost their lives in the line of duty, and it's something that should be respected throughout the province. That's what the member is trying to accomplish here.

I think it's a matter of respect. That's what was put in the paper and that's what the member from Halton is saying: it's a matter of respect. But it's more than that. It shows our appreciation for the work that police officers, firefighters, ambulance workers and correctional officers put in day in and day out. They are in risky professions. It's not so much that they get ready every day and say, "I'm going to go in to work." They not only get ready to go in to work; they have to go in to work with a recognition that they have to be prepared to deal with situations that may affect their life. For the vast majority of the population, it's something they take for granted, that they're going to go to work, they're going to come home after work, and then they'll just get on with their life and do what they want to do. But for this type of individuals—and it's a unique type of individual. Certainly I know correctional officers; one individual

who lives down the street from me, Bill Merrick, has been in that service for many years. You have to look at it from the point of view of what they're giving up to the community, what they've chosen to sacrifice. What they've chosen to sacrifice to the community is their life. The saying, "Some gave all," is what we're looking at in terms of the two individuals who died in Barrie and Innisfil this past year. They gave all. I can tell you that it's a very tragic circumstance.

But certainly I think the intentions of the member from Halton are to cover the entire province, and that's what we're looking to do. So I support this bill and hope for its speedy passage.

**1020**

**Mr Gerry Phillips (Scarborough-Agincourt):** I'm pleased to join, along with my leader, in supporting the bill. It's a very good idea. It's a bit of a blank in our procedures around here, and I very much support it, obviously for a couple of reasons.

One is that all of us appreciate the terrific role these people play in our lives, and it's a small but meaningful way that we recognize that.

The second reason is that each of us, as we drive by a flag at half-staff, if we're not familiar with why it's flying at half-staff, we ask the other person in the car, "What is that for? Why is that?" It is a way that we across the province will remind ourselves and discuss the important role these people play. So I'm very much supportive of it.

I would also say to our police officers, firefighters and others how much the public appreciates the job they do. I talk to police officers frequently, and they will often notice the criticism they get and I think seldom appreciate the terrific respect they have in the community. I know that from experience. The community I represent is just overwhelmingly supportive of our police organization. They overwhelmingly appreciate and respect the job they do. I just want to say that, because if there's a piece of criticism in the media, I think it jumps out at them, and they don't hear often enough how widely appreciated their role is.

Finally, in support of this, one of my very best friends was a police officer. He and I coached hockey together for 17 or 18 years. This police officer was injured on the way home from work and became a quadriplegic. He went back to work on the police force as a quadriplegic. I take my hat off to Toronto Police Services, by the way. They brought him back as a fully functioning constable. He was then promoted to detective sergeant, and again I take my hat off to the police services. Tragically, he passed away at the age of 42, partially, in my opinion, because of complications from the accident.

In any event, the point I'm making is that he is indicative of our police services, an individual who served us well as a police officer but also as a tremendous community participant. He coached hockey for 16 or 17 years, among other things. I regard this as another

indication of the respect and honour we pay to those people who perform these duties for us.

I appreciate the bill and I of course will be supporting the bill.

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** It is important for us to throw our support behind this legislation, the Flags at Half-Mast Act, that's been introduced by MPP Chudleigh.

As we know, the purpose of this bill is to require that flags at provincial government buildings are flown at half-mast for a period of mourning to honour police officers, correctional officers, firefighters and ambulance workers who lose their lives in the line of duty.

I'd like to point out off the top that all of us here today bear a responsibility, not only as MPPs but as members of society, to ensure that the people in these professions are recognized for their efforts to ensure our safety and our security and the safety and security of our society.

Frankly, I'm surprised and somewhat dismayed that this type of legislation isn't already in place. I would suggest that people in Ontario would be disappointed as well to learn that members of our emergency services, our friends and neighbours who put on those uniforms, are not honoured in any comprehensive way with the lowering of a flag at Ontario government buildings when one of their members makes that ultimate sacrifice.

Protocol is very important, and direction is often needed when local people try to make a decision whether or not they should lower that flag. In the wake of new realities post-September 11, our emergency workers have had thrown on their already hefty assignments new responsibilities. In response to the superior job that police, firemen, ambulance and correctional workers do day in and day out, we must take what I consider a relatively small step to honour fallen heroes.

Given the actions of September 11—this was mentioned earlier this morning—I'm very proud of the government of Ontario and our emergency response workers here in the province. As many will know, at 8:48 a plane entered the north tower and at 11:08 in the morning Ontario was on full alert through the emergency measures organization. Air ambulance, police and firefighters were all at the ready.

I would like to echo the comments of the Minister of Public Safety and Security, Bob Runciman. He pointed out in this Legislature in June that the first government in Canada to react was the government of the province of Ontario, led by then-Premier Mike Harris. I'm sure people throughout the world at that time questioned whether their governments had the ability to deal with emergencies, as we saw in both Washington and New York.

When I was 17 I did a stint in the militia, and I'm saddened by the neglect of our Canadian forces since that time. However, our firefighters, police and paramedics are well equipped, in contrast to the federal level, and can play a very strong role in dealing with terrorist acts, a

role that of course needs to be further enhanced by provincial dollars, municipal dollars and federal dollars.

It's important to reflect on today's challenge to our security. People do step forward and answer a call in our time of need: military personnel, of course, emergency workers, police and firefighters. Because of these people, Ontario remains at the ready.

Since September 11 this government has moved swiftly to support emergency response teams, providing personnel with backup, providing personnel with the tools they require to work on behalf of the province to provide safety and security. For example, a major training exercise in bioterrorism will be held next spring for police, fire, ambulance and medical personnel.

The Office of the Fire Marshal is investing \$2.5 million a year in generic and specialized training for first responders. One hundred thousand dollars is going to each of Toronto, Windsor and Ottawa fire services to form specialized chemical, biological, radiological and nuclear response teams. We are asking these people to take on a far-expanded role and responsibility.

The Office of the Fire Marshal has also developed a pocket guide for first responders on biological and chemical terrorism, including anthrax, smallpox, cyanide and nerve agents. This is very serious stuff and, again, reflects the confidence we have in people whom we, through this legislation, are recognizing.

Today, the member for Halton is asking us to take these measures of support one step further. It's a relatively small step, I submit, that should have been taken a long time ago, a step that would honour these firefighters, police, correctional workers and ambulance attendants, heroes who bravely put their lives in the way of danger every day. It's a step that would recognize these men and women with the lowering of the flag.

As I've alluded to a couple of times, our emergency response workers are heroes, and they should be treated with appropriate respect. Part of that respect means that at the very least we must work with MPP Chudleigh to ensure that death in the line of duty is honoured.

**1030**

The reverence should not be shown in the local community alone, but across the province. Make no mistake: the loss of an emergency worker in one part of Ontario is a loss to us all, to every woman, man and child throughout the province, and therefore I see it as apt that our condolences should be felt across the province as well.

It is our responsibility, as elected members of this provincial Parliament and as members of society, to ensure that the dedicated efforts of these people do not go unrecognized. It is our responsibility to ensure that their sacrifices are not forgotten.

**Mr Rick Bartolucci (Sudbury):** I stand, like my colleagues before me in the Liberal caucus and our leader, Dalton McGuinty, in support of this resolution.

It is interesting that the member would bring this resolution up today. We know, or we should know, that this Sunday in Ottawa the Canadian Police Association,



along with the federal government, will be sponsoring the Canadian police and peace officers' 25th annual memorial service. It is a very, very solemn time, a time when we reflect and we remember. We reflect on the importance of those individuals who have lost their lives, and we reflect on the importance of these people who lay their lives on the line every single, solitary day of their lives.

I'm glad the member included firefighters, ambulance workers and correctional services. Indeed, these people jeopardize their lives on an ongoing basis, as well as our fine police officers across this great province of ours and this fine country of ours.

This Sunday in Ottawa is also a time for challenge. It's a time to challenge all levels of government to do what we must do in order to make the lives of police officers, firefighters, correctional services and ambulance workers as safe as possible.

We focus on police officers this Sunday. We remember painfully the tragedies which occurred which caused the loss of life of these fine police officers. But the challenge is there.

My fellow Liberal caucus member, Michael Bryant, quoted the Boss, Bruce Springsteen, in his speech. I would challenge this government and all governments to listen to the words of a song written by a person in Barrie, Ontario, Karen Eaton, when she says, "Honour thy fallen." This is what we'll do by this bill. We will honour those who have fallen, who have died, who have lost their lives protecting and serving the people of Ontario.

In the next six minutes I'd like to bring the House up to date on the activity of the JOEMAC committee. JOEMAC is an acronym for Justice Over Everything: Making Appropriate Choices. It's a group of community people who have gotten together to try to effect systemic change in our federal justice system but also to ensure that there is justice for those people who have lost loved ones.

I focus today, for the remainder of the time, on the life of Constable Joe MacDonald. Joe, in the early hours of a very damp October day, pulled over a vehicle for a routine traffic stop; a brake light was out. He pulled the vehicle over and was met by two criminals who turned out to be executioners, as you will see. They jumped out of their vehicle and started to beat on Joe. They pummelled his body. They broke his leg so severely that it was on backwards. With utter disdain, these executioners put three bullets in the back of his head. One of the members of the JOEMAC committee is Ray Grenier, who cradled Joe in his arms as he died.

The JOEMAC committee, which was formed from members of Joe's family, the community, Joe's lifelong best friend, fellow police officers and a member of the Office for Victims of Crime, Staff Sergeant John Muise, has come together because we want change.

This House, all three parties, unanimously supported the resolution that JOEMAC has now brought across

Canada. It asked for three things. The first thing it asked for was the return of Clinton Suzack and Peter Pennett who today, as we debate this bill, are enjoying soft time, one in Mission, BC, and one in eastern Ontario, in medium-secure facilities, having been transferred very quickly out of maximum security. The JOEMAC committee and this House want them back in maximum security. Secondly, we want an external review of Correctional Services Canada because we believe it is important that people are cascaded in our criminal justice system based on individual risk assessments and not on numerical quotas. Thirdly, we want the federal Solicitor General to live up to the promise he made to the justice committee, that he would send a directive to the commissioner, deputy commissioners, warden and deputy wardens across this country that cascading would not be based on numerical quotas.

It is interesting that when we met with the Solicitor General last February 18, he suggested he would keep the lines of communication open. On April 18, 2001, he sent a letter suggesting he would send out the directive. Today I received a copy of this letter that the federal Solicitor General sent out to Ms McClung from Correctional Services Canada. It's dated today, but at least it's dated and has gone out. We see that as a first positive sign.

We, as a committee, want this resolution passed by every province in the country. We have made strides. We presented this summer to the National Association of Professional Police, who passed our resolution, and the Canadian Police Association, which passed our resolution. We have commitments from these services as well as from the Canadian police services boards association that they will take the message of JOEMAC to their respective provinces, so that hopefully, before Christmas, we will have the rest of the provinces and territories on side. We want to put the Solicitor General and every government on notice that the recommendations of the JOEMAC committee are not politics. It's all about public safety and a justice system that protects everyone.

We look forward to the government members on the other side of the House supporting the JOEMAC endeavours as we move on to all the other provinces. It is important for the people of Ontario to understand that when we stand up in this House and debate issues of public safety, these are not partisan political issues that any political party in this House owns. If indeed we believe we want to ensure public safety, as I believe is the case, then it is the domain of every person in Canada and not any individual political party.

I support this bill, Dalton McGuinty supports this bill. This is a good bill. It provides us the opportunity to say thank you.

1040

**Mr Peter Kormos (Niagara Centre):** I'll make it very clear: New Democrats will be voting for this legislation. There's no two ways about it. New Democrats supported and continue to support and applaud the memorial across the road from this assembly that pays

tribute to the police officers, the women and men on our police forces who have lost their lives in the course of performing their duties.

A few months ago, New Democrats supported enthusiastically in this Legislature a private member's bill that would provide for the construction of a monument to firefighters, the women and men in our firefighting services who have lost their lives in the course of the performance of their duties. If you recall, New Democrats made it very clear that that monument, just as the monument to police officers, should be so significant, so majestic, so profound by its presence as to reflect the gravity of the loss of life by, in that instance, a firefighter, be it big city, small town, be it full-time or volunteer, who loses their life in the course of the performance of their duties.

Let's take a look at the bill. It's a law because it's a bill. There's an obligation here, of course—and again, no criticism. I understand—I think I do—the author's intent. He brings it before this assembly for this discussion. But let's understand that this government could today issue a directive to all of those public sector places simply requiring that they fly their flag at half-mast. We don't need the legislation, and that's not to criticize the legislation. Let me make that very clear. I understand that the legislation, by being presented as a private member's bill, lets us speak to it.

I read the bill carefully. It's a very brief bill. We spend a lot of time in this assembly mourning the loss, mourning the deaths of firefighters and police officers and proclaiming our commitment to others who perform that public safety role: correctional officers, front-line medical emergency response personnel. Please, can we spend as much time talking about giving these people the tools to enable them to do the job that's expected of them and to do it as safely as possible so we can minimize the risk?

I recall being very blunt with you around the discussion we had with respect to the private member's bill proposing a monument to firefighters. It's so easy to pay tribute after the fact. Let's start getting real about making the sort of investments, in collaboration with those workers in those sectors—firefighters, police officers, front-line medical emergency response personnel—to give them the resources, the tools, the equipment, the training, the staffing that lets them do their job, and minimizes the risk that is inherent in those jobs. Let's have debates about minimum staffing for firefighting services and about ensuring the resources are available to communities so they can employ sufficient firefighters to have minimum staffing.

Let's talk about minimum staffing for police services. Let's talk about adequately funding police services so that policing communities like Niagara's don't have to engage in fundraising activities like the notorious option 4, where Niagara regional police officers are required, in a very labour-intensive exercise, to set up speed traps for the purpose of obtaining \$50 donations—I've talked to you about option 4 before—not to a charity that the police are sponsoring, but to the operation of the police

services. It's not just Niagara. Do you understand what that means?

Speed traps, radar speed traps, in and of themselves, are fine. Police have always been patrolling the highways and setting up radar to catch speeders. But they're labour-intensive. You need a significant number of personnel to detect and stop the speeder or to pursue the speeder if the speeder doesn't pull over. In Niagara region, option four is utilizing these personnel, taking them away from other policing tasks for the sole purpose of fundraising, and not in Niagara only.

Firefighters across this province have, through the course of contract negotiations and grievance procedures, been attempting to develop a uniform standard for minimum staffing. Municipalities would dearly love to accommodate them in their communities but are cash-strapped and simply can't afford to do it. It means there have to be sufficient funds coming from this level of government to permit that minimum staffing. And that minimum staffing will mean the community is safer and the firefighters are safer. It has everything to do with adequate response in an adequate time frame and performing the job as safely as possible.

Correctional officers—my goodness, I can't anticipate the conversations I will be having with correctional officers after this bill inevitably passes through second reading. They'll say, "Well, thank goodness, they're going to fly the flag at half-mast if one of our sisters or brothers dies in a correctional institution or while escorting a prisoner," when over the course of seven years now, correctional officers have been the victims of derisive abuse by this government, the orgy of privatization of correctional facilities, the constant attacks upon correctional officers by minister after minister after minister.

**Mr David Christopherson (Hamilton West):** Tory ministers.

**Mr Kormos:** Yes, quite right. My colleague the former Solicitor General and Minister of Correctional Services detects a dramatic change in attitude. That change hadn't occurred in 1995 with the election of the Conservatives here.

I was down to Mimico Correctional Facility at the beginning of the summer break, meeting with correctional officers and other staff in that institution who were pleading for an opportunity to sit down with the minister to address the issue of the closure of that institution as part of the privatization agenda. I wrote a letter to the minister. I hope the minister accommodated those people.

Ambulance workers—I was here when one Minister of Labour and House leader from the Conservative government talked about the ambulance worker goons invading Queen's Park. Do you remember that? He wanted me on the carpet, he wanted them banned, he wanted the leader of their trade union barred from Queen's Park. Ambulance workers were trying to get a hearing with this government. Legislation had been introduced that directly attacked their capacity to perform their job and their right to collectively bargain.



So, while the bill speaks for itself, it also invites and provokes a whole lot of other observations, doesn't it?

It's a tragedy when any worker loses his or her life in the performance of their job. Policing is inherently dangerous. Firefighting is inherently dangerous. Corrections is increasingly dangerous because of this government's de-staffing of correctional facilities, its underfunding of correctional facilities and its oh-so-enthusiastic pursuit of privatization. But I tell you, a woman or a man descending the elevator in a mine shaft to go underground is in pursuit of incredible risk as well. The steelworker, the agricultural worker, the young man or woman who, as a student, is working at a summer job with inadequate support and no familiarity with their right to refuse unsafe work, and their exposure to toxins and to dangerous machinery that is not properly regulated or controlled, and the absence of inspectors in those workplaces: they too entertain and pursue great risk.

1050

The facts are there. The numbers are evident. God, if the flag were to fly at half-mast in this province, as it should, to pay tribute to every worker who dies in the performance of their work, be they firefighter, police officer, correctional worker, ambulance or first-line medical personnel worker, miner, mariner or seaman or sailor, farm worker, steelworker or ironworker, or construction worker, we'd have no need to ever raise it.

I say that wouldn't be a bad thing. I think it's a good thing. I've had tragic and regrettable occasions, as have my colleagues, to participate in the display of support and sympathy for families and colleagues of, yes, police officers who have been killed, firefighters who have been killed. I've also had the same tragic occasion, as have my colleagues, of attending the funerals in an effort to provide some display of support and sympathy to the families of workers who have been killed and whose sacrifice surely can be considered no less significant.

Robyn Lafleur down in Port Robinson—we've talked about Robyn so many times, haven't we? Surely the flag should fly at half-mast for Robyn Lafleur, slaughtered in her workplace, as it should for every police officer, every correctional officer, every firefighter, every emergency response medical person.

I encourage the author of this bill, once it receives passage, to send this bill to committee. I do that so we then can propose amendments which would give effect to the New Democratic Party's interest in seeing this government provide adequate resources to the workers—firefighters, ambulance teams, correctional officers—contained in this bill as well as to pay tribute to Robyn Lafleur and her sisters and brothers, almost 300 a year, almost 300 a year in Ontario alone; in 2001, 262 workplace deaths in Ontario. Since 1988, when this Legislature passed the New Democratic Party resolution to officially observe a day of mourning—14 years—there have been almost 4,000 workplace deaths in Ontario. Surely that deserves our mourning as well.

**Mr Frank Klees (Oak Ridges):** I'm pleased to be able to rise in the House today to express my support and

the appreciation of my constituents to the member from Halton, MPP Chudleigh, for bringing this bill forward. I really believe this is overdue.

This is a bill that I believe will have a far-reaching effect on people throughout our communities. It's a powerful symbol when a flag is flying at half-mast. I recall as a young person that the first time that a flag at half-mast came to my attention was when President Kennedy was shot. I remember looking out the window of the public school I was attending at the time and what that meant to me. Now, every time I see a flag at half-mast, I know something significant has happened.

I believe this will be an opportunity for us to teach our young people, as they observe flags at half-mast, the importance of the work that's being done in our communities throughout the days, weeks and years by these people who are serving us so selflessly.

I had the privilege of spending an opportunity on September 11 to observe a remembrance with the firefighters there. I watched as these men and women took their places and remembered their colleagues. It was a reminder to me that there are jobs that are being done in our society every day that many of us could not do, do not want to do and do not have the wherewithal to commit to doing them, but men and women throughout this province take up those tasks daily. We will rightfully respect the sacrifices they make through this bill.

**The Acting Speaker:** The member for Halton has two minutes to respond.

**Mr Chudleigh:** I'd like to thank the members of the House who spoke about the bill, particularly the member for St Paul's, who mentioned that shift work is a very big part of emergency workers' work shifts. Shift work brings a whole other system of pressures to bear on life. Anybody involved in shift work or has been in shift work will understand what those pressures bring on family life, recreational life and life in a community.

But aside from all of that, these people, not only being shift workers, also find time to volunteer. They are huge volunteers in our community. I don't think there's a ball park, an ice rink or a community centre that doesn't have the men and women who man our ambulance services, who work in our correctional institutions, who work for firefighting organizations or police organizations—that doesn't see these people in those volunteer jobs. Hospital workers: again, I constantly see the men and women volunteering their time in hospitals around my riding.

The last member to speak, from Oak Ridges, mentioned that it's a very small step, as I did in my opening comments. This is a very small step for the men and women who take such great strides to provide a safe and secure environment, to provide us with the help and assistance we need at our times of greatest tragedy. As the member for Scarborough-Agincourt pointed out, it's a time to recognize those people for what they do. All too often I don't think they know how much we appreciate their efforts on our behalf.

**The Acting Speaker:** This completes the time allocated for debating this ballot item. I will place the questions to decide this item at 12 o'clock noon.

1100

## FAMILY HEALTH BENEFITS ACT, 2002

LOI DE 2002  
SUR LES PRESTATIONS FAMILIALES  
DE MALADIE

Mr Martiniuk moved second reading of the following bill:

Bill 176, An Act to provide for some continuation of benefit plans of employees after the end of their employment / *Projet de loi 176, Loi prévoyant une certaine continuation des régimes d'avantages sociaux des employés après la fin de leur emploi.*

**The Acting Speaker (Mr Michael A. Brown):** The member for Cambridge has up to 10 minutes for his presentation.

**Mr Gerry Martiniuk (Cambridge):** I'm pleased to rise to present Bill 176, but if I may be candid with my colleagues in the House, this was not the bill I had originally expected to deliver on this date.

A couple of years ago, a tragedy occurred in Cambridge in that a young boy and police officer lost their lives through an accident involving a low-head dam on the Grand River. As a result of that, I have worked over the last couple of years with the MNR. They compiled a file and the coroner's report recommendations that hopefully would have formed the foundation of a bill to try to prevent future incidents surrounding low-head dams around the province, of which there are a fair number.

I started to make final arrangements with the MNR in early July. Our contact with the new minister was unproductive. Phone calls produced references to other persons. I got the runaround. Subsequent calls requesting a meeting were not returned at all. It was not until late August that I realized I was being stonewalled, and by that time it was too late to work on my dam bill.

You might wonder why it took me a month to determine that I was being stonewalled. I've been an MPP for seven years and I cannot think of an instance where I have not received full co-operation from any of my colleagues, whether they be in the cabinet or whether they be out of the cabinet. This stonewalling came as somewhat of a surprise. It is one thing to treat me with disrespect; it is another to treat my 120,000 constituents with contempt. That story is not over with, I can assure you.

However, as a result, this bill really didn't start until August 15, although the concept was there. I would have had many more consultations because there are a number of ramifications arising out of this bill. I would therefore request the indulgence of all the members in the House to provide some wise guidance on any pitfalls they see with my bill, if it's referred to committee.

Due to a shortness of time, I'd like to particularly recognize the excellent work of legislative counsel and research staff. Research officers Elaine Campbell and

Avrum Fenson could not have been more helpful and expeditious. Michael Wood, the legislative counsel, worked very hard on my behalf to get this bill ready on time.

I stand in the House today to urge members to support my private member's bill, the Family Health Benefits Act, 2002. This legislation is an important part of the overall health and labour reform in Ontario and a step forward for workers and their families across this province.

As proposed, it is a first for Canada. Most extended health, drug and dental plans end on the termination of employment. Even if a new job is found immediately, there is usually at least a three-month waiting period before benefits can be applied for under the new extended benefit plan. This means families are left unprotected for months, and this can lead to substantial hardship, especially with chronic illnesses requiring expensive drugs and/or non-OHIP medical procedures.

As members can see in the bill, the Family Health Benefits Act amends the Employment Standards Act, 2000, with section 44.1 to extend the period of health benefits coverage. This amendment permits workers who have been employed for at least 52 weeks with the same company the right to extend their benefit plan coverage for a period of up to six months should they be permanently laid off. This important amendment covers the extension of all current benefit plans in Ontario. At present, no other province has a benefit buyback provision. Manitoba is silent on the issue, British Columbia has allowances in collective agreements only, Saskatchewan only regulates part-time benefits, Alberta and Quebec are silent and the rest of Canada has not yet moved on this innovative approach.

This proposed made-in-Ontario act raises the bar for health benefits coverage for workers and their families. We all know that the cost of many medical treatments or therapies can be overwhelming. Many families rely greatly on their health benefit plans. Whether it is a scheduled trip to the orthodontist, the replacement of eyeglasses or contacts, prescribed physiotherapy, an extended hospital stay or a life-saving prescription drug, they are very important health matters. Ontario families should not be without uninterrupted coverage for these benefits. Many Ontario families face severe health challenges and rely on their benefit plans extensively.

When asked, the Toronto branch of the Canadian Diabetes Association says that a person with diabetes can pay anywhere from \$2,500 to \$5,000 a year to treat this condition. Test strips alone cost \$1 apiece and are required four to eight times a day.

Using the limited data available, the average Canadian family that loses health benefits will spend an average of \$1,880 per year on dental care. They are also being faced with approximately \$1,220 on prescription medications and pharmaceutical products. They also face additional payments for required eye care and other health-related expenses. These are amounts for a family that is without a high-need family member.



The costs that I have mentioned make us realize that giving a family the option to continue uninterrupted health coverage is the right thing to do. By passing the Family Health Benefits Act, we, as legislators, can say to Ontario workers, "We value your work, we value your family and recognize the needs you may be facing."

As members can see, the act is designed to permit the employee to choose this benefit buyback as an option. It is not mandatory. We are in uncharted waters in this act. It may only be used by those with high-need family members or others who believe they really need it, but I think that if even one child or one family is assisted, we have done our jobs.

On the issue of cost, the act outlines that the employee, on choosing the option, will pay the full premium based upon the employer's group rate.

I would be interested in hearing from members as to the merits of this bill. I would encourage members to discuss the options. Questions that come to mind are: should the interim and permanent disability portion of any policy be accepted; should there be an alteration of the employee's disbursements; do you have to be employed for one year before you would have this option or is that too high or too low; is the six-month extension adequate?

If passed, I will be requesting that the bill be referred to the standing committee on general government, where all facets and ramifications of the bill and your worthwhile comments can be considered.

The bottom line is that the plan we envision offers maximum benefits to workers, while respecting the solid business and investment climate we have created in Ontario.

The Family Health Benefits Act responds to a changing time, a time when being sick is expensive, a time when peace of mind is important and a time when workers are placing a greater emphasis on family and security. It offers uninterrupted protection. I would like to emphasize that as leaders in this area, we are making Ontario an even better and more attractive place for skilled workers to locate. We are offering a benefit that is innovative and valuable to families.

I am sure each member of this House has seen many people in his or her constituency office or in the community with ongoing medical needs. Whether it is an adult with a chronic condition or people with children who are struggling with a severe illness, they are challenged each and every day. The last thing they need when losing a job is the added emotional stress of losing their health benefits. This act will help these people in a very direct and practical way. I thank you, Mr Speaker.

**The Acting Speaker:** Further debate?

1110

**Mr Ernie Parsons (Prince Edward-Hastings):** I am pleased to speak to this bill. I will be sharing my time with the member for Kingston and the Islands.

I applaud the member for Cambridge for this bill. This is a good bill that I believe has the potential to greatly ease the trauma of a job loss and the problems associated

with it. However, there is an inherent problem with it that I would urge the member, in fact the government side, to address. The problem with job loss is there is a loss of income. We've got the income stream stopping and we are asking the family to assume the cost of the insurance itself. So at the time that they are most vulnerable, they are being asked to pay for this private health insurance.

If you have monitored the cost of private health insurance at all over the last few years, you know that it has escalated rapidly. Insurance companies take what they expend and they pass those costs, plus profit, on to their consumers. The problem they are facing with their health care costs is that this government has delisted significant numbers of drugs, drugs that when prescribed for the children now have to be fully paid for by the family.

This government has delisted treatments that at one time were covered under OHIP, and I think specifically of physiotherapy. For individuals who are involved in accidents, for individuals who have broken limbs, they are now, in many cases or most cases, being forced to assume the cost of it.

*Interjection.*

**The Acting Speaker:** The member for Kitchener Centre.

**Mr Parsons:** Thank you, Speaker. This is an important bill and I appreciate the opportunity to speak to it. Perhaps we can debate outside in the hallways after.

For audiologists, families with young children in rural Ontario are facing the reality of having their children's hearing tested two ways. One is to go on lengthy waiting lists—in my community that means Toronto, by and large—or they can pay for private services. The very hearing tests that these children require so that corrective action can be taken have been delisted.

The insurance companies know that they are facing these extra costs, and someone has to pay. The someone who has to pay is going to be these families who have, at that moment, lost their income stream.

Hospitals, with their budget crunches, are being forced to increase the cost for private care over the ward system. Again, that's passed on to insurance companies and the insurance companies pass it on to families. So in theory this is a great bill, but the question that is going to be faced by the families is, can they in fact afford the insurance?

I have had talks with individuals who have retired who say that when they retire and they wish to carry on their benefits—whereas, we'll say, eight years ago the cost was perhaps \$200 a month for the premium, they are now finding the premium in the \$400 to \$500 range. They are not able to sustain it, even though they are receiving a pension. They've got a pension and they can't afford it. Imagine a family that has lost their whole income stream; how can they afford it?

We need, at the same time as we are supporting this bill, to address the underfunding of health care and the inability to address the new technologies and new services that are coming.

I have an example that I am only too aware of from constituents in my riding and other ridings. That's the issue of type 1 or juvenile-type diabetes. The government, to its credit, will fund the needles for the treatment of diabetes for seniors, but it will not for children. So the child of a family that has a very limited income—that family has to find the resources to buy their child's needles. Yet there is a new product on the market called an insulin pump which automatically injects the insulin in controlled dosages that exactly duplicates the natural action of the body. This government will not fund that, not even under the assistive devices program. So families, even if they are able to continue this, are faced with these additional costs.

Now, the cost of an insulin pump is only about \$5,700. "Only," I say; \$5,700 is a lot of money. The craziness is that the family that spends the \$5,700, and in many cases borrows money or sacrifices within the family, has the potential to save the government significant numbers of dollars. Diabetes causes problems with the heart, causes problems with the kidneys, causes a multitude of problems within the body that, if there is a hospitalization, easily runs to \$100,000 for that one treatment for a heart problem—\$100,000 in one visit to the hospital, in one stay over a heart treatment. A \$5,700 expenditure for that pump prevents that.

There are insurance companies that are providing the funding for this because they know it is a good value for their dollar. It is a preventative device; granted, it has the wonderful side effect of also increasing the quality of life for the individuals, whether they be children or adults. We call it juvenile-type diabetes, but there are adults who have it. For them it's a significant improvement in their quality of life. It saves the provincial government huge dollars on health care. But we make the insurance companies pay for it or we make families pay for it. If insurance companies pay for it, I can assure you that that goes on to the premiums.

To the member for Cambridge, I applaud you for the bill, but I urge you at the same time to lobby your colleagues, particularly the Minister of Health, to say, "When we de-list these drugs, when we delist the services, it's not because they're no longer needed, it's not because they're not still life-saving. We're delisting them because what we're really doing is putting in a user fee by transferring the cost for this procedure, or the cost for these drugs, to the individuals."

I would suggest for those individuals, whether they be families or individuals, that represents a tax increase to them. I know tax increases aren't allowed because of the Taxpayer Protection Act—no, just a minute. The Taxpayer Protection Act is gone; I'm sorry. These tax increases are allowed because the government violated that, so I guess it gives a free hand to do everything.

Provide the services. It you look at the issues that we face in Ontario, if you ask the person on the street, "Which is your priority, money or health?" I know what the survey will tell you. One hundred percent of the people will say, "I want quality health care." The money

is absolutely useless. I've actually never seen a U-Haul behind a hearse. The money is meaningless if the health is bad.

Pass this bill; I'm going to support it. But I also urge you to do more so that the insurance companies will be able to maintain their premiums for what were meant to be extras. When we got private health care it was to deal with the extras, not to deal with the essentials. You put the essentials into the costs for insurance companies. Take them back, do it fairly and allow the families then to be able to afford their necessary health insurance.

**Mr David Christopherson (Hamilton West):** I appreciate the opportunity to join in the debate. Let me say at the outset that, first of all, we will be supporting the bill, and I applaud the member for the initiative.

I do want—

*Applause.*

**Mr Christopherson:** Wait, we'll see how you feel at the end.

I do want to raise again, though, the issue that the honourable member for Cambridge did at the beginning. He felt, if I understand his comments correctly, colleagues in his own government—I would think ministers—treated his constituents with contempt. Also, he felt he was being stonewalled in trying to represent the best interests of his constituents. I would just point out to the member that you can just imagine the frustration, first of all, that we have on this side of the House, not having the benefit of being in the government caucus, and secondly, how frustrating and how appalling it is for the ordinary citizen who feels that they—and rightly so—don't have anywhere near the influence and closeness to the corridors of power that you do. You feel stonewalled. Try to appreciate how a lot of people in this province feel, whether they're talking about health care, whether they're talking about, as my colleague from Niagara Centre raised earlier, funding for emergency services, for our education system. We have the chair of the Hamilton school board in London practically on bended knee, asking, pleading with the government to recognize the need for additional funding in our education system.

So I sympathize with the member and I appreciate his honesty and forthrightness, but I would point out that that's a fraction of what people in this province feel as they come to grips with the reality of the policies of this government.

I started by saying that I want to compliment the member. I began that way and I intend to end that way. I believe that this is a sincere effort to try to improve the lot of many working people and their families who find themselves with benefits cut off. I think it's the right thing to do and I'm glad that he's used this valuable time that he has to put it before us for consideration. But I cannot let a debate about this go without putting it in context, and the context, I say through you, Speaker, to my friend across the way, is that this government, a government that you're a member of, has an atrocious record when it comes to issues that affect working people and their families.



1120

I mean, the Employment Standards Act—for those people who don't have the benefit of a collective agreement, a union contract, the only thing they have is the Employment Standards Act. That's it. When they're at work, all they have is the Employment Standards Act, and if they don't have rights in the Employment Standards Act, you don't have rights in this province, period.

It was this government that first of all determined that it's OK for people who earn the minimum wage of \$7.50 an hour to have had no increase for seven years. I remember saying at the time, when the North American economy, led by the US economy, was booming in the late 1990s, "Here's the problem with this government saying they're not going to raise the minimum wage now, when times are booming." And you remember why they wouldn't, Speaker. Just to refresh everyone's memory, when things were going well and the economy was booming along, what was their reason and their justification for not raising the minimum wage? They said, "Well, we don't want to stomp on the good times. We don't want to slow down the economic boom that we've got. If we raise the minimum wage, it'll have a dampening effect on the economy." I and my colleagues in the New Democratic caucus said, "The problem with that thinking is that if you don't raise the minimum wage during good times, what's going to happen in the bad times is that we're going to hear an argument from the government, 'Well, how could we possibly raise the minimum wage? Look at the deplorable condition our economy is in right now. We can't afford to do that.'"

So where does that leave the very families that I believe the honourable member wants to help with this bill? Again, I can't say strongly enough that I don't think it's for any other reason than that he wants to make an improvement. But it's those very same people. Whether you're making the minimum wage of \$7.50 or your wage is relative to where that is, because you might be making \$8, \$9, \$10 an hour, believe me, you can't raise a family on that kind of income. They're the same people. It's the same families. And that's the inconsistency of policy in this case, I say to the honourable member.

You made changes to the Employment Standards Act that had the effect of introducing into this province the 60-hour workweek. Now, I know we've thrashed this around, and what does it mean and what does it not mean, but there's one thing that's irrefutable, and that is that if you don't have a union shop that clearly spells out what your hours of work are and what your rights are, then as long as there's an opportunity under the Employment Standards Act to have an employee work 60 hours a week, there will be those employees who will work 60 hours a week, and not because they want to. Number one, they may have to do it because it's the only way they can possibly, at \$7.50 an hour, earn enough money to put some food on the table and pay for some kind of accommodation, and heaven help them if their rent doesn't include hydro. The same families; the same pain. I'm going to use the word "pain," because after

seven years at \$7.50 an hour, I can't imagine that you don't go to sleep at night and wake up every morning with some essence of pain, pain at what you can't give your kids.

This is the same government that seven years ago cut the income of the poorest of the poor. I mean, you wonder why we've got an affordable housing crisis in this province? Seven years ago you cut the income of families on social assistance by almost 22%, 21.6% to be exact, and it hasn't been increased by a penny. The moral crime in that is that over half the people who are affected by that cut in income are kids. How is that consistent with saying we want to do things for working people and working families? How do you square that circle?

I mentioned hydro rates a little earlier. I'm going to say this about hydro, because it needs to be said now: there are a lot of people who have a belief that the labour movement is somehow something that should be left in the history books and that has no relevancy today. I want to remind those people who are making \$7.50, \$8.50, \$10, \$11 an hour that the only reason we don't have fully privatized hydro in this province is because two unions took this government to court and they won. The reason I raise that—my segue, if you will—is that most union contracts provide for an extension of benefits upon a layoff, and yet this is a government that has passed law after law weakening unions, going after unions, doing everything they can to make it more difficult to organize and easier to decertify, to get rid of, a union. Yet one of the key things unions do is protect their members, yes, when they are at work, but also when they have been laid off, when they're out of work.

I would remind the member that the only reason there is an Employment Standards Act in this province—which really doesn't affect union members or unions, because those contracts almost always have benefits that are way above and beyond the Employment Standards Act—is because those very unions considered it part of their responsibility to fight for those who don't pay union dues as much as they do for those who do pay union dues. We can't afford to lose sight of that, just as in the fight for affordable housing in this province, if you take a look at any protest, any campaign, meant to raise awareness or put pressure on this government for affordable housing, who's in the forefront of those fights, of those struggles? It's the labour movement, 10 times out of 10. And do you know what? The vast majority of their members won't live in them because they've negotiated enough money and enough wages that they don't need that.

So yes, this is good. I note that the member says in his letter of September 15, giving some rationale for this proposal, "The cost of prescriptions alone for some existing conditions can be astronomical." Absolutely. Absolutely. But what about those people who are earning minimum wage? How many government members have stood up and made the case that because of the cost of prescriptions for some existing conditions being astronomical, this government has a moral obligation to consider raising the minimum wage? How many times has

that speech been made from the government benches? To the best of my knowledge, nada, zip, none, zilch.

That's the one difficulty the member from Cambridge has this morning. It's not that he isn't doing the right thing, because he is. It's not that he doesn't care, because I believe he does. The problem is, it's one little piece of light, if you will—and boy, I'm sure not going anywhere near George the elder's thousand points of light, but this is like one little bit of progressive light in a huge, cavernous darkness that is your government's record.

1130

Maybe we're going to start a trend, elections being in the air. You can sort of sniff it; you can feel it: elections are coming soon. Maybe, if nothing else, some of the government backbenchers are realizing, "Gee, I'd better at least touch on the other side of the equation." I hope so. After seven years of anti-worker, anti-union, anti-poor people, anti-middle-class people and families, there is going to be a little bit of progressiveness. Goodness knows, we need it in this province. I would very much love to think that today was the day we saw a new approach.

And you know what, Speaker? I'm so desperate for a benefit for my constituents that if it's for pure political reasons, go ahead. Every one of you, bring in something like this. Pick an area where your government has done some damage and bring in a private member's bill that attempts to unravel some of that damage. Beautiful. At this point I'm not too concerned about motives; it's results.

I have to believe, in the last moments I have, that the member from Cambridge is doing this because he thinks it is the right thing to do. I began there and I'm going to end there, because I think the track record of the honourable member is one of speaking out for his constituents, and I give him full marks for acknowledging some of the difficulties he had. I've been in a government caucus. I know how much trouble that speech alone, those couple of minutes, can cause him and the amount of grief it can cause him. But if that's a true reflection of what is happening to him as a representative of his constituents in the riding of Cambridge, then I say kudos to the member for having the guts to stand up and speak out on behalf of his constituents, and I applaud him for bringing in this bill. It's the right thing to do and I will proudly cast my vote in support of it at the appropriate time.

**Mr. Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm certainly pleased to join in the debate with respect to Bill 176, An Act to provide for some continuation of benefit plans of employees after the end of their employment. This is looking for amendments to the Employment Standards Act brought forth by the member from Cambridge.

The intent of this legislation is to provide a framework of bridging, if you wish, with respect to dealing with individuals who are out of employment for whatever reason and allowing them to be part of a group benefit plan to secure benefit coverage.

There are a number of conditions that are put in the piece of legislation we're dealing with here. A condition with respect to seniority of one year would be required. It also does not apply to people who quit their employment, but it allows for the extension for a period of health benefit coverage, and that would encompass extended health, drugs, dental. I also understand it would encompass short-term and long-term disability benefits.

I guess there is going to be an issue here with respect to continuation, because in plans provided by insurance companies—short-term disability and long-term disability—there is a requirement to be employed. It would have to be a situation where perhaps the terms of those plans would have to be addressed. Obviously there is going to have to be discussion with the insurance companies. Certainly arrangements could be made between the insurance company and the company with respect to permitting these employees to continue on those plans. Speaking from a practical point of view, though, I find that highly unlikely to happen where individuals are no longer with the company and still being covered by short-term disability and long-term disability. Probably the better approach, if this were to succeed, would be to deal with the continuation of dental, drugs, hospital care etc, because I think there are going to be issues with respect to the insurance industry in terms of what coverage and what risk they're going to be prepared to deal with.

It's also going to be an issue for companies in terms of what their history is. Premiums are not just based on the number of people who want to be a part of the plan; they're also based on what history that plan is having. The history leads to what the cost of the premiums could be. Obviously, dental plans are a very expensive benefit, a very worthwhile benefit but very expensive. That's going to have to be dealt with from a cost point of view for the businesses that would be covered by this particular program, which in essence is a bridging program.

As it says in the amendment, "If an employee's employment with an employer ends and the employment has lasted for a total period of at least 52 weeks immediately before the end of the employment, the employee may"—and this is a choice for the employee; they have the discretion to make that decision—"within two weeks following the end of the employment or whatever other time period is prescribed, file a notice with the employer." The notice would deal with a continuation, a request for a period of 26 weeks following the end of employment or whatever shorter period the employer and employee agree to in terms of the benefit plans continuing. I think everybody knows, as a practical matter, that insurance premiums are much cheaper if you're part of a group plan. The larger the plan, arguably, the cheaper the benefit premium coverage should be.

Now, as set out here by the member from Cambridge, the employee has a clear choice, but the employee is responsible for the full cost of all the benefit plans that are continued under this arrangement. An employer who doesn't comply is liable to pay damages to the employee for whatever loss the employee incurs as a result of the



employer's non-compliance. Obviously the cost that could be incurred is going to be greater than the premium costs would be in terms of going to the dentist and getting whatever services they're looking to have.

This is a situation to fill in the cracks of what happens to some employees. There are employers out there who allow for benefit continuation, be it for a month or a two-month period, whatever the employer is, when a person is laid off. There's also benefit continuation for situations when an employee is off on workers' compensation, on short-term disability, on long-term disability or on a personal leave of absence for a certain period of time. There are all kinds of different absences where an employer can provide, either through a collective agreement or through their employment manual, for benefit continuation to occur. Employees who are employed with those types of employers are certainly in a much better situation than individuals who are with employers who do not have the types of programs to allow for benefit continuation.

I think what the member from Cambridge is trying to address here is a very significant issue. There are significant issues with respect to what the insurance industry—and let's be blunt about it: very few employers have short-term disability plans that are not with an insurance company. Self-directed short-term disability plans are probably the exception rather than the rule. So there are some issues with respect to how this would coexist with insurance plans, especially for short-term disability and long-term disability.

There are also some issues with respect to what employers' views are in terms of dealing with this type of legislation and also how they would coincide with collective agreements out there. I would suspect most collective agreements would be far superior to what's being asked for under this employment standard because, as you know, the standards are a minimum of what can be provided.

I think this is something that merits discussion. Individuals are given options when they're terminated, for example, to continue in a plan for a certain period of time as long as they exercise that option within 30 days of the date of their severance from employment. So they have a renewal option to get in for life insurance, for example, as part of that plan.

This is a much broader approach. I think it's an approach that allows for continuation, allows for the employee to be a part of that bigger plan, although there are other issues that are going to have to be addressed in the employment community and with insurance companies.

I'm pleased to have spoken on this piece of legislation. I wish the member well. I know his intent is to allow individuals to have coverage for their families and themselves, and to make sure they're not falling through the cracks with respect to benefit coverage.

1140

**Mr John Gerretsen (Kingston and the Islands):** I too will be supporting this plan. I think it's a great idea

and the member for Cambridge ought to be congratulated on it.

The problem, the way I see it, though—  
*Interjections.*

**Mr Gerretsen:** Just a minute now. The problem, the way I see it, is that there is a whole group of other people who are similarly affected. The bill only deals with a fairly small segment of the population. We can argue about the extent, but it's a fairly small sector of the population. It doesn't deal, for example, with those employers—they're mainly small employers, corporate or otherwise—that don't have any plans at all in existence. I know you could say, "If they don't have any plans in existence at all, how could benefits possibly go to ex-employees?" I agree that may be somewhat unreasonable. On the other hand, those people, when they are laid off or whatever, have exactly the same problems and the same lack of financial resources as the individuals who were fortunate enough to work for an employer that did have a plan. I think nothing says it better than the member's own letter to all of us asking our support for the bill.

I'll read directly from his letter. He states, "This act is designed to assist and protect workers and their families. A child or spouse may have scheduled prescriptions, therapy, dental care, suffer an unfortunate injury or face an extended hospital stay." I agree with all this. "In some unfortunate cases, families have a sick child or family member who is currently in hospital or recently returned home from a challenging illness. The cost of prescriptions alone for some existing conditions can be astronomical."

That is the point. It can be astronomical for anyone who is involved in that situation, whether the employer had a plan or not.

What I'm suggesting to the member is that, yes, this will certainly help those people who were fortunate enough to be involved in a work environment that had a plan. I say more power to us to extend those benefits, particularly when those people are in deep financial need because of the layoff that has occurred. But I would suggest that there is an even greater need for those individuals who worked in an environment that didn't have a plan at all and that it is high time for the government—it may be very difficult for an individual member to do it in a private member's bill—to provide coverage in that area or in those circumstances as well.

I think if there's one thing surely that—  
*Interjection.*

**Mr Gerretsen:** The government may have to provide that in some way, yes, because I think if there's one thing we have definitely agreed on in this country, it is the benefit of our national medicare program. It's such a firm aspect of our Canadian way of living and is probably the one area where we distinguish ourselves primarily from our American neighbours: that all of us believe in a national health and welfare program that will cover all people in the event that they need health care, under whatever circumstances.

We can argue about the edges of it, as to whether or not it should cover particular situations or not, but I think there is still a general feeling about that. Surely that's what Romanow is all about, and there may be some changes to the whole system, but we agree on that. What you're doing in this bill is only taking care of those individuals that have lost their jobs and worked in situations where an employer did have a health plan in effect. I'm suggesting to you, sir, that particularly when it comes to smaller businesses and self-employed individuals who for whatever reason may no longer be able to earn money because of health or sickness or because of a change in economy or whatever, we've got to at least start looking at that. I'm not blaming you for that. I think that you have made an honest attempt to at least look after a certain segment of people, but a certain segment of people that were already privileged to a certain extent to start off with because they were fortunate enough to be part of an employer that did have a plan in effect.

But what about all those other people who don't have any plan at all? When are we going to start looking at those people? I am one of those individuals that firmly believes, if anything, that we should extend the health care benefits that we have in this country, and that we should seriously start looking at issues such as home care and start perhaps making those mandatory services under the Canada Health Act. I know that can be a whole other debate, but we should be looking at that because as long as we can look after people in their own home environments at a much lesser cost than by institutionalizing them or putting them into nursing homes, that should be the goal for all of us. To put these artificial limits into place where we say, "If you need more than 14 hours of home care then for some reason we can no longer cover you" is to me completely ridiculous because what we're saying to those people that need more than 14 hours of home care a week is that, "You should be institutionalized," at a much greater cost than we're currently spending.

I know I'm getting away from this bill. I applaud you for your effort in putting this forward, but let's not forget those people that don't have the benefit of any insurance coverage at all. I will be supporting this bill but I also look forward to the member joining members from all sides of the House in putting greater pressure on his own government and on the federal government to provide health care benefits for Canadians, for Ontarians, that are in conformity with the times that we live in. I look forward to having him join me and others in that debate.

**Mr Garfield Dunlop (Simcoe North):** It's a pleasure to rise this morning to make a few comments on Mr Martiniuk's bill, the Family Health Benefits Act, 2002. I congratulate the member for Cambridge for his work on this particular piece of legislation.

The legislation is an innovative approach to the overall health and labour reforms taking place in our province. It is a step forward for workers and their families across this province as well. The Family Health Benefits Act amends the Employments Standards Act, 2000, with

section 44.1 to extend the period of health care benefit coverage. Those who have been employed for one year with the same company will now have the right to extend their benefit plan coverage for a period of up to six months, should they lose their jobs. This does not include quitting a job, of course. This is a practical, innovative approach. Ontario would be the first province in Canada to pass such a law, and perhaps other provinces and the federal government would be encouraged to see this type of legislation passed across our country as well.

Many Ontario families have severe health challenges and rely on their benefit plans extensively. A person with diabetes alone can pay anywhere from \$2,500 to \$5,000 a year to treat that condition. The act is designed to permit the employee to choose the benefit buy-back as an option. It is not mandatory. The employee is responsible for the full cost of this plan. The act offers employees a very clear choice. This act protects workers. Private plans must be researched and may have new provisions, new rates and new eligibilities. This is an uninterrupted benefit plan option.

**1150**

We are also making Ontario an even more attractive place for highly skilled workers to locate by passing this piece of legislation. Currently, most benefit plans have a three-month waiting period for new employees, even if a job is secured immediately. Families are protected for at least three months under the current system. Over eight million individuals or dependents in the province of Ontario are covered with extended health care coverage today. In Ontario there have been 955,400 new jobs created since 1995. Ontario is prosperous and it continues to grow as well. We continue to put many millions and billions of dollars into the health care system. I think in the latest budget for 2002-03, Ontario health care spending is up to \$25.5 billion for this fiscal year. I believe that's an increase of \$8 billion since 1995.

However, more must be done. We must continue to try to take advantage of, and make more innovative, anything we can do to make health care coverage, not only in Ontario but in Canada, more beneficial to our citizens because it is something we are very proud of in this country, as the member from Kingston said a little bit earlier.

Unfortunately, even in this great economy, an employee who finds a job quickly must wait at least three months for benefits coverage. This bill Mr Martiniuk has proposed is a very practical approach to a growing problem. The act will assist families and will offer protection when it is needed most. I believe it is a responsibility of our government and a responsibility of governments in jurisdictions across this country to support legislation that people like Mr Martiniuk have come forward with. I'll be supporting this piece of legislation and I encourage members of this House to support this legislation as well.

**Mr Doug Galt (Northumberland):** I'm pleased to share some of the time with my colleagues to speak on Bill 176, the Family Health Benefits Act, 2002. I think the real point in this whole bill that my good friend from



the riding of Cambridge is pointing out here is that it's a buyback opportunity. It's of real benefit to an employee who has been laid off and has been working at that particular place for at least a year's time, so there's some establishment. I think what's important in this particular bill is that it's no expense to the employer; possibly a little paperwork would be the only expense. But it provides the opportunity for that employee to buy health benefits for the next six months. As you know, it's common, when you're hired with an organization, that there's a three-month waiting period for those health benefits. Of course, if you're resigning because you have another job, it all ties together very nicely. But when you're laid off for no cause of your own or your own wrongdoing, it is indeed unfortunate.

We know how important health is. Certainly in your party, if you've looked at the polls, it's always number one. Health concerns rise above all the others as the number one concern, the number one issue that the public is concerned about. Whether it's federal, whether it's provincial, it certainly has risen in concern significantly.

I think it's interesting to see in the Fraser report that, of the OECD countries where there's universal health care, here in Canada, based on GDP and adjusted for age, we have the highest support for universal health care here, and I don't think there's any question that Ontario leads as a province. This is about looking after people. As the member from Cambridge has pointed out, here in Ontario with this bill we would be leading. I congratulate the member from Cambridge for bringing this particular bill forward.

**The Acting Speaker:** The member for Cambridge has two minutes to respond.

**Mr Martiniuk:** I would merely like to thank everyone who gave wise counsel in regard to the bill: Ernie Parsons, the member for Prince Edward-Hastings; David Christopherson, the member for Hamilton West; Joe Tascona, the member for Barrie-Simcoe-Bradford; John Gerretsen, the member for Kingston and the Islands; Garfield Dunlop, the member for Simcoe North; and, of course, the Honourable Doug Galt, the member for Northumberland. I thank them all for their comments.

**The Acting Speaker:** The time for debate on this ballot item has now expired.

#### FLAGS AT HALF-MAST ACT, 2002

LOI DE 2002

#### SUR LES DRAPEAUX EN BERNE

**The Acting Speaker (Mr Michael A. Brown):** I will now place the question with regard to ballot item number 55. Mr Chudleigh has moved second reading of Bill 172. Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 96, this bill will be referred to the committee of the whole House.

**Mr Ted Chudleigh (Halton):** I would like this bill to go to the standing committee on general government, please.

**The Acting Speaker:** Agreed? Agreed.

#### FAMILY HEALTH BENEFITS ACT, 2000

LOI DE 2002

#### SUR LES PRESTATIONS FAMILIALES DE MALADIE

**The Acting Speaker (Mr Michael A. Brown):** Ballot item number 56: Mr Martiniuk has moved second reading of Bill 176. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it. The bill is carried.

**Mr Gerry Martiniuk (Cambridge):** I would ask permission of the House to have this bill referred to the standing committee on general government.

**The Acting Speaker:** Agreed? Agreed.

All business relating to private members' public business now being completed, this House stands adjourned until 1:30 of the clock.

*The House recessed from 1157 to 1330.*

#### MEMBERS' STATEMENTS

##### LONG-TERM CARE

**Mr David Caplan (Don Valley East):** This summer I, like a lot of my colleagues, was inundated by thousands—indeed, here they are—of responses to my campaign against the outrageous 15% increase in fees for our vulnerable seniors in care facilities. I can certainly go on at some length about my personal concerns, but I think it's important for Premier Eves and the Conservative government to hear some of the comments that my constituents in Don Valley East made directly to him. I want to read some of the comments here on the record.

Mrs Barbara Measor said, "Unconscionable! More than 50% of our monthly income will now go to my husband's nursing home fees. Most unfair."

Mrs Doreen Broadbridge said, "I object to increasing these charges. My great-aunt Rachel is 100 years old. With her extra money she buys stamps, letter paper, stockings and wool for knitting afghans. As a taxpayer, I don't need to take that little" bit of "money away from her."

I definitely share the view of Bradley and Joyce Phillips when they say that this is a "shameful continuation of Mr Harris's policy of attacking the most vulnerable, evidently intent on depriving them of the dignity, respect and comfort they deserve."

Continuing on, I have hundreds more that I could read. Ivy and Ronald Hatton, both 70 years of age: "There must be other ways to raise revenues."

Finally, who can't help but worry about Edith Luther, who says, "I am 79 in December and worried about my future."

Premier, Don Valley East residents know that you've not cancelled the 15% increase, that you're still planning to hike the fees over the next three years. Why don't you have the courage to take the position that Dalton McGuinty and my caucus have taken? We're not prepared to put vulnerable seniors in our community in a more precarious position than they already are. Liberals will roll back this shameful selective tax hike on seniors.

### SERBIAN PICNIC

**Mr Bart Maves (Niagara Falls):** Thousands of members of the Serbian community were once again in Niagara Falls on the weekend of June 30 to celebrate their 57th annual picnic. The event is held every year on the grounds of St George Serbian Orthodox Church. An estimated 10,000 people of Serbian descent and friends attended the event, with many travelling from US states, including Pennsylvania, Michigan and Illinois. Some visitors were from as far away as Australia.

The Serbian Orthodox Church, along with the Serbian National Shield Society, organized a magnificent weekend, with traditional Serbian food, dance and music.

I especially look forward to this weekend every year, as it is a wonderful opportunity to spend time with my many friends in the local Serbian community, a community which has contributed greatly to Niagara Falls, especially since the 1950s; friends like Alek Pantelic, chairman of the organizing committee, who should be applauded, along with other members of the committee for putting together such a successful event.

I encourage my colleagues in the House today to inform any Serbian constituents in their ridings to look into attending next year's picnic. Our local Serbian community and I look forward to seeing new faces and having old friends return next year.

### EDUCATION FUNDING

**Mr Steve Peters (Elgin-Middlesex-London):** I'd like to draw the Legislature's attention to today's London Free Press. It reads, "Faced with a flood of complaints that Ontario schools are crumbling, colleges and universities minister Dianne Cunningham conceded yesterday more money must be pumped into the system." The Minister says, "In my view, the amount of funding is an issue." Lo and behold, the former chair of the London school board and cabinet minister for the past seven years has finally seen the light.

Minister, what was your first clue that you, Mike Harris and Ernie Eves have broken our education system? Was it the overcrowded classrooms? Was it parents of special-needs children begging for the supports they desperately need? Has it been the constant battles and the chaos that caught your attention? Or was it the classrooms with no textbooks in them?

Minister, where have you been for the past seven years? Why haven't you been standing up and demanding at the cabinet table that something be done?

Since I was first elected in June 1999, the Thames Valley District School Board has had regular meetings with all the area MPPs: Wood, Cunningham, Mazzilli, Johnson, Hardeman and Beaubien. As I have been all of these meetings, being the lone Liberal in a sea of blue, I can't help but think, were you listening, Minister? Were you listening, London and area members? No, you weren't.

The board has been begging for solutions for years, but Minister Cunningham's comments beg the question, why now? We've known all along. Her comments prove that cabinet has known all along. We don't need a stall-tactic smokescreen process to delay fixing the problem. My guess is it's a case of pre-election jitters for the honourable minister. Perhaps we should have an election every year, because that seems to be the only way anything gets done by you and this government.

### DEAN CRANDON

**Mrs Julia Munro (York North):** I rise today to pay tribute to one of my constituents, Dean Crandon of Keswick. Mr Crandon is a 35-year-old bodybuilder who won the heavyweight division and is the overall winner in the Canadian Musclemania championship that was held in Toronto in August. This all-natural event included 102 of the top bodybuilders in the country.

Winning this championship was a dream come true for Mr Crandon. He started competing 15 years ago, but hasn't in the past eight years. With the encouragement of his family and friends, he trained for several hours daily. It included 24 weeks of intensive training leading up to the Canadian competition.

Mr Crandon is currently training for the world Musclemania. In addition to weights, he does his cardiovascular training on the stationary bike and follows a very strict diet to maintain as much muscle mass as possible while keeping his weight in line. He is trained by Laura Binetti and sponsored by the Fitness Force in Keswick which, by the way, also made sure that the Terry Fox Run in our community was an outstanding success.

Congratulations to Dean Crandon and good luck in the world championships.

### VIOLENCE AGAINST WOMEN

**Mrs Marie Bountrogianni (Hamilton Mountain):** A disturbing study released yesterday revealed a shocking increase in the murders of women. Sadly, most of the women slain were killed in Ontario. The first increase of spousal homicides in six years must be cause for us to review the course the Eves government has taken in addressing violence against women.

The Association of Interval and Transition Houses and the members on this side have repeatedly told the government that very little was being done to protect threatened women in Ontario despite two major inquests into murder-suicides in recent years. The Provincial



Auditor's report revealed that overcrowded shelters are being forced to turn away desperate women and children. One thousand women were turned away from one Toronto shelter alone.

Four years after the May inquest and two years since the murder of Gillian Hadley, the women of this province are still waiting for the implementation of recommendations that would toughen bail laws and increase funding for second-stage housing for women fleeing abusive relationships.

Women on the front line have been telling us the government's approach is too narrow: 75% of women suffering abuse do not bring their case before the courts. Women fleeing domestic violence need affordable housing, affordable daycare and employment assistance. While this government may believe they have been acting sufficiently, the facts prove otherwise. The richest province in Canada should be the safest.

I implore the government to move swiftly in implementing the outstanding Hadley recommendations. At the very least, act now on the jury's first recommendation, to create a community-based implementation committee.

**Ms Marilyn Churley (Toronto-Danforth):** More women are being murdered by spouses or ex-spouses while the Conservative government drags its feet on protecting them.

The biggest security threat in Ontario today is the killing of women by their partners or ex-partners. The Conservatives are guilty of gross negligence for failing to act despite warnings from the auditor and two inquests. Statistics Canada reported this week that 69 women were killed in 2001, compared to 52 the previous year. Virtually all of the increase was in Ontario.

Over a year ago, the auditor warned that overcrowded women's shelters were turning away desperate women and children in eight out of nine regions. That forced them to return to abusive spouses. Two inquests also made a string of recommendations that the government has ignored.

I'm calling once again on the government to reinstate funding to second-stage housing so women and children have a transition home as they seek permanent housing; provide stable, multi-year funding for women's shelters; work with government and community representatives to carry out the recommendations of the Gillian Hadley inquest; work with the cross-sectoral strategy group to implement emergency measures they called for two years ago; and create new affordable housing so women fleeing abusive situations don't end up on a waiting list.

How many more women have to needlessly die in this province before this government takes action?

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#### RUN FOR THE CURE

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I was very pleased to attend the launch of the Canadian breast cancer CIBC Run for the Cure annual fundraising event at Barrie Ford on September 19. This run will take

place on October 6 at 34 sites across Canada. The CIBC Run for the Cure raises funds and awareness supporting the advancement of breast cancer research, education, diagnosis and treatment.

The run raised more than \$11.2 million last year at 32 sites across Canada. In this 11th year, the goal is to raise \$12 million.

I would like to take a moment to commend Deb Howe and Linda Loyst, the volunteer run directors for the Canadian Breast Cancer Foundation, for their hard work and dedication in organizing the CIBC Run for the Cure in Barrie.

Finding a cure for breast cancer is a team effort. I urge all of you to register for the run or sponsor someone who will be participating in the run on October 6.

#### ANNIVERSARY OF MALTESE INDEPENDENCE

**Mr Tony Ruprecht (Davenport):** Today we're celebrating a very special event in the history of mankind. The occasion is the 38th anniversary of Maltese independence. With us today to help us celebrate this very significant historic event are the Consul General of Malta, Mr Milo Vassallo, and his wife, Rita; Father Borg, pastor of St Paul the Apostle parish; Mr George Scherri, president of the Maltese Federation; Mr Henry Formosa, representing the Maltese-Canadian veterans; Mr Michael Donello, governor of the Central Bank of Malta; and Mrs Josette Dalli, representing her husband, the Minister of Finance.

Because of Malta's strategic position, it has been occupied by many races. They all left their mark, including the Knights of Malta, who reigned for 260 years.

As we celebrate their heroic struggle for independence and freedom, we're also mindful of what they've done for Canada, and especially for Ontario. We know, for instance, that in 1940 the first immigrants from Malta arrived near the Welland Canal, promptly helped us dig the Welland Canal and established a number of shipyards along the canal.

While we are mindful of this great heroic struggle in their own lands, we are more proud of them because in Canada they have passed on the torch of freedom from their generation to the next Canadians and Maltese. That's why we say to them in Maltese today: [Remarks in Maltese.]

I want to say that as you continue to contribute to Canada we're with you, we celebrate with you, and may the spirit of freedom, which is indomitable, continue in this land and in Malta.

#### BIG BROTHERS AND SISTERS OF CLARINGTON

**Mr John O'Toole (Durham):** I'm pleased to rise in the House today to recognize the 25th anniversary of Big Brothers and Sisters of Clarington. This organization serves over 300 young boys and girls, aged six to 14.

One-to-one matches between a child and an adult continue to be the foundation of the program. However, Big Brothers and Sisters of Clarington have also introduced new projects such as school mentoring and the Big Bunch program for group activities.

This summer, the very popular Kids 'N' Kops day program was held in Bowmanville. Camp director David Dobson and his staff introduced close to 200 children to our police and helped them gain a better understanding of community issues while having fun.

On September 21, I was fortunate to join executive director Lisa McNee-Baker, president Harold Yellowlees, Regional Councillor Jim Schell as well as staff and the four prior executive directors, support staff and friends, for an open house in Bowmanville. We also celebrated the completion of renovations, thanks to a Trillium grant. Basement space at Big Brothers headquarters was made into functioning working and training areas for volunteers, and a computer lab.

I'd like to pay tribute to the hundreds of volunteers and dedicated staff who have made the past 25 years such a success. I can say with complete confidence that they have made a real difference in the lives of our young people.

Two of these would certainly include founding board members Lionel Parker and Jack Munday. I'd also like to congratulate the staff and current board members: Don Samis, past president; Ryan Cresanto, vice-president; John Buddo, treasurer; Masood Vatandoust; Dr William Ammons; Kathleen Whatley; and Paul Wylie.

I'm confident Big Brothers will continue to contribute outstanding service in their community while helping young people and enriching their lives.

#### ANSWERS TO WRITTEN QUESTIONS

**Mr Michael Bryant (St Paul's):** On a point of order, Mr Speaker: Pursuant to standing order 97(d), a minister shall answer written questions within 24 sitting days. Question number 12 was submitted on Wednesday, May 22. I'll abbreviate it, but let me say that the question was thus: "Would the Minister of Environment and Energy please provide all financial and legal opinions, correspondence, briefing notes, memoranda, e-mails, directives and bulletins that deal with any matters ... in issue before Mr Justice Arthur Gans..."—of course, there has been a Court of Appeal decision since then—"prepared both at the time that the provisions in the Electricity Act, 1998 were being contemplated ... and at the time of the initial public offering."

I have not received an answer to this question.

**The Speaker (Hon Gary Carr):** I look to the Minister of the Environment, who may have clarification.

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** It's a voluminous package that the member has asked for. We are currently working on gathering all that information. We will provide it to you as soon as possible. There is no delay. It is extremely large, the amount of information you have asked for.

**The Speaker:** I thank the minister. The member will know that the standing orders say 24 sitting days. I believe it's now 25, so we're right around the deadline. I appreciate the minister's intervention.

**Mr Bryant:** On another point of order, Mr Speaker, and, I'm sorry to say, another question unanswered, this time by a different ministry and a different question, fortunately for me: "Would the Attorney General please provide all financial and legal opinions, correspondence, briefing notes," etc., "that deal with any matters that were in issue before Justice Gans" and before the Court of Appeal, both at the time of the Electricity Act provisions' drafting and during the IPO.

Again, this one has also not been answered within the 24 sitting days, pursuant to the standing orders.

**The Speaker:** I thank the member again. The House leader on this issue.

**Hon Mr Stockwell:** Again, is this the same date?

**The Speaker:** Yes.

**Mr Bryant:** Different ministry.

**Hon Mr Stockwell:** I understand that. I think we're very close. It's one day, and I know we are working feverishly to try to get you the information.

**The Speaker:** I appreciate that.

#### VISITORS

**Mr Michael Bryant (St Paul's):** On a much more friendly point of order, Mr Speaker: We all have little miracles in our lives—loved ones, friends, nieces, nephews, grandparents, grandchildren, sons and daughters. Well, I have two such miracles in the House today: my daughter, Sadie Violet Bryant, a Bryant that would make Mike Harris mush, a Bryant that would make Chris Stockwell silent. I'm very proud to introduce, in the members' gallery, my incredible wife, Susan Abramovitch, and Sadie Violet Bryant.

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** On a point of order, Mr Speaker: Given that in the report of the Environmental Commissioner released today, recommendation number 2 is basically the recommendation that is contained in my Bill 127, An Act to amend the Ontario Water Resources Act, I therefore move that it receive second and third reading at this time.

**The Speaker (Hon Gary Carr):** The member is asking for unanimous consent. Is there unanimous consent? I'm afraid I heard some noes.

#### ANNUAL REPORT, ENVIRONMENTAL COMMISSIONER OF ONTARIO

**The Speaker (Hon Gary Carr):** I beg to inform the House that today I have laid upon the table the 2001-02 annual report of the Environmental Commissioner of Ontario.



## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON PUBLIC ACCOUNTS

**Mr John Gerretsen (Kingston and the Islands):** I beg leave to present a report from the standing committee on public accounts and move its adoption.

**Clerk at the Table (Ms Lisa Freedman):** Your committee begs to report the following bill, as amended:

Bill 53, An Act requiring the disclosure of payments to former public sector employees arising from the termination of their employment / Projet de loi 53, Loi exigeant la divulgation des versements effectués aux anciens employés du secteur public par suite de la cessation de leur emploi, the title of which is amended to read, "An Act requiring the disclosure of payments arising from the termination of public sector employment / Loi exigeant la divulgation des versements effectués par suite de la cessation d'emploi dans le secteur public."

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted? Agreed.

The bill is therefore ordered for a third reading.

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## INTRODUCTION OF BILLS

### CONSUMER PROTECTION STATUTE LAW AMENDMENT ACT, 2002

#### LOI DE 2002 MODIFIANT DES LOIS EN CE QUI CONCERNE LA PROTECTION DU CONSOMMATEUR

Mr Hudak moved first reading of the following bill:

Bill 180, An Act to enact, amend or revise various Acts related to consumer protection / Projet de loi 180, Loi édictant, modifiant ou révisant diverses lois portant sur la protection du consommateur.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House the motion carry? Carried.

The minister for a short statement?

**Hon Tim Hudak (Minister of Consumer and Business Services):** I'll defer to minister statements.

## MOTIONS

### COMMITTEE MEMBERSHIP

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** I move the following amendments be made to the membership of certain committees.

Mr Klees replace Mr McDonald on the standing committee on general government; and

Mr Arnott replace Mr Galt on the standing committee on finance and economic affairs; and

Mr Gilchrist replace Mr Maves, Mr Gill replace Ms Munro, Mr McDonald replace Mr Stewart on the standing committee on public accounts; and

Mr Maves replace Mr Arnott on the standing committee on the Legislative Assembly.

**The Speaker (Hon Gary Carr):** Is the pleasure of the House that the motion carry? Carried.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### CONSUMER PROTECTION

**Hon Tim Hudak (Minister of Consumer and Business Services):** I have tremendous pleasure today in introducing the proposed Consumer Protection Statute Law Amendment Act, 2002, for first reading in this House.

I would like to first of all thank the many consumers, businesses and organizations, including consumer advocate groups and business associations.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: We have not been provided with a copy of the minister's statement. We have been provided with a compendium. We have been provided with the bill itself. We did hear parts of it on the radio as early as 8 o'clock this morning and read about it in the Toronto Star. It seems to me, given the minister is on his feet, we should have copies of that statement.

**The Speaker (Hon Gary Carr):** The minister may have some clarification. Minister?

**Hon Mr Hudak:** We'll certainly get the statements to the members immediately. I believe they'll be coming across right now to help the pages. My apologies.

**The Speaker:** Why don't we take a minute to wait while they are delivered. We can start all over.

And the minister may continue.

**Hon Mr Hudak:** I'd like to thank the many consumers, businesses and organizations, including consumer advocate groups and business associations whose interest and input have helped develop this proposed legislation I am very proud to introduce today.

In fact, joining us in the gallery are Carl Compton from the Ontario Motor Vehicle Industry Council and Jim Flood from the Ontario Real Estate Association. I'd like to thank them and their colleagues very much for their hard work.

I'd especially like to recognize the hard work of my predecessors, Minister Tsubouchi, Minister Runciman and especially Minister Norm Sterling for their hard work in developing this matter and helping to get it to this point.

And as well, I want to thank MPPs and their constituents for their suggestions in helping us draft a bill that is truly reflective of the needs of both consumers and businesses. I think all of us as MPPs have encountered in

our ridings a senior who gave money to a phony charity or a student who paid hefty fees for a modelling contract that never materialized. All of us want to help protect Ontario citizens against these kinds of scam artists.

**Interjection:** That happened to Jim Bradley.

**Hon Mr Hudak:** It must have been a really good scam artist.

This summer, as part of my ministry's consumer protection campaign, I was out talking about the top five scams in Ontario and offering tips on how consumers can help to protect themselves. Let me say, Mr Speaker, that I believe the vast majority of businesses are honest and legitimate. There are a few bad operators who hurt consumer confidence and hurt the reputation of honest businesses in a particular sector, thus harming job creation and harming the economy.

This proposed legislation would strengthen protections for the consumer, in turn helping Ontario businesses, because consumers feel more comfortable spending their hard-earned money in a marketplace they know is safe and secure. It would also give businesses clear rules and a level playing field by combining six overlapping consumer protection statutes into one modern legislative framework.

**Hon Brad Clark (Minister of Labour):** That's a good idea.

**Hon Mr Hudak:** In fact, as the member from Stoney Creek knows, most of Ontario's existing consumer protection legislation was passed in the 1960s and into the 1970s. At that time, most transactions were done the old-fashioned way, with a face-to-face encounter in the local shop, an exchange of cash, a written contract or a handshake. Those were the days when colour televisions were luxury items, push-button phones were a luxury, and computers were the size of trucks and only available to NASA scientists. The Internet was simply the stuff of science fiction writers. Our existing legislation is based on the realities of the old economy.

Today we live in a world where cellphones, fax machines, voice mail, teleconferences and, most significantly, e-mail and the Internet are everyday tools of business and, for a growing number of individuals, of personal contact as well. In short, times have changed, and here in Ontario we want to keep up with them.

This proposed legislation would provide a similar level of protection for consumers who shop for goods and services on the Internet to those going to their local corner store. The Internet has brought new speed and convenience: you can buy your grandmother's favourite tea from that little shop in England, or you can view that hotel room in Niagara before you reserve it. But many consumers are still not confident in the safety and security of on-line shopping, creating a barrier to the growth of e-commerce.

The proposed legislation would require a contract for Internet sales, which could be paper or e-mail, that could be retained by the consumer. It would also provide regulation-making power concerning disclosure to help

ensure that consumers are confident they have clear and complete information to help make an informed choice.

But the Internet is only one aspect of the dramatic change in our marketplace over the past 30 years. We have also witnessed a rapid growth of the service economy, to the point where over half our transactions involve services, and a rise in consumer leasing. This proposed legislation would extend protections to services, whether it's cable, Internet, or lawn care. It would also cover leases, which is good news for those who lease their cars or their computers.

Many consumers for years have complained about the practice of negative-option billing. This occurs when a business bills for goods or services without the consent of the consumer. Under this proposed legislation, consumers would not be liable for goods or services that they did not request and did not agree to pay for. If the consumer has accidentally paid for an unsolicited good or service, for example, through automatic debiting of a bank account, he or she would be entitled to a full refund.

Consumers would also have greater protections in certain sectors where high-pressure sales tactics occur. This bill proposes that the 10-day cooling-off period that currently exists for door-to-door sales be extended to timeshares, fitness clubs and talent agencies.

A proposed 30-day delivery rule would mean that if a good is not delivered or a service is not begun within 30 days of the date of the contract, the consumer is entitled to cancel the agreement.

A proposed 10% estimate rule would mean the consumer should not be charged more than 10% above the amount estimated in the consumer agreement. This would protect against the practice of "low-balling" quotes, which hurts both consumers and legitimate businesses trying to compete on price.

The proposed legislation would also modernize rules about the most significant purchases many consumers ever make: homes, vehicles and travel.

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Changes to three sector-specific laws—the Motor Vehicle Dealers Act, the Real Estate and Business Brokers Act and the Travel Industry Act—would strengthen the regulation of those who practise in these big-ticket sectors. There would be regulation-making authority to establish formal codes of ethics for the professions and develop discipline committees to deal with breaches of these ethical codes.

Of course, all the requirements I've talked about require teeth to make them effective. That is why under this proposed legislation we're also strengthening our enforcement powers and making them consistent across the board. Maximum fines for contravening consumer law will be doubled to \$50,000 for individuals and more than doubled to \$250,000 for businesses. Maximum sentencing for individuals, which now varies, would be two years less a day. Similarly, the ministry would have the power to freeze assets and order businesses to stop using false or misleading advertising.

A common challenge for ministry investigators is that scam artists always try to stay one step ahead of the law



by morphing their scam into another, slightly different scheme, moving to a new medium such as from telemarketing to the Internet or by targeting consumers in a new jurisdiction. Under the proposed legislation, we will be able to keep up with unscrupulous operators as they move into new media because the rules would be consistently applied.

The proposed act would also give us the tools to address scams in our borderless society by allowing the minister to enter into formal agreements with enforcement agencies in other jurisdictions. Our work with partners has been very successful in the past. Our strategic partnership against cross-border scams and fraud, for example, has shut down more than 40 telemarketing boiler room operations since it was initiated three years ago.

We are truly bringing consumer protection in Ontario into the 21st century. This proposed bill would deliver stronger tools to shut down those unscrupulous operators lying in wait for that unsuspecting senior or that naive student away from home for the first time. It would target scam artists wherever they may be lurking, on the Internet, on the phone, through the mail or at the doorstep. It would strengthen disclosure rules so that consumers have clear and complete information to make informed decisions, and by improving consumer confidence in our marketplace, it would also encourage businesses to develop and invest in Ontario and create jobs well into this century.

**Mr Bruce Crozier (Essex):** I'm pleased to stand today to reply to the statement of the minister, and certainly we will have the opportunity at some length to review this legislation.

I might say at the outset that I share the feeling of the minister, and I think we all share the feeling, that anything that takes positive steps to protect consumers in the province should be welcomed, and we welcome this legislation. As I say, we'll want to go through it clause by clause and see if in fact it truly does protect consumers.

It was only yesterday that this minister stood in the House and tried to defend one of the biggest security breaches we've had in this province in some time. Who were the ones who were the losers? There was private information on individuals that was stolen from the ministry, that wasn't protected. So I'll be looking very carefully to see if there's something in here that will tell us how that's going to be done.

This summer the minister said, "As part of my ministry's consumer protection campaign, I was out talking about the top five scams in Ontario, and offering tips on how consumers can protect themselves."

One of the biggest scams was reported on June 12 and that was when blank birth certificates were stolen. So this minister wants us to believe today that his objective is to protect consumers in Ontario when this past summer there was blatant disrespect for that.

In fact, I went to the ministry Web site and it says, "To be a responsive, innovative world leader in customer service and consumer protection by delivering quality

products for a fair, safe, dynamic and informed Ontario marketplace," and the number one bullet is, "Providing for high standards of consumer protection, public safety and business practices."

Certainly public safety is at risk when unknown people can walk away with hundreds of blank birth certificates. I would say that we really should question the business practices of the ministry itself when this kind of thing can happen.

To be more specific about some of the things that are bothering Ontarians today, I'll be looking in this bill, as will my colleague Dwight Duncan from Windsor-St Clair, to see if there's any protection for customers who are retroactively billed by a private company, albeit a regulated one but one that has a monopoly. Who's going to stand up for those consumers? I haven't heard this minister stand up for them yet. I would like to hear him stand up and say to the Minister of Energy, "You have the authority to roll back that approval of the Ontario Energy Board. In the interests of consumers in the province of Ontario, I, the Minister of Consumer and Business Services, want you to do that." I'd like to hear the minister stand at some point and speak on behalf of consumers in that respect.

I'd also like the Minister of Consumer and Business Services to stand and protect consumers in Ontario against unrealistic cash-grab gasoline prices before holiday weekends. We always know that gasoline prices escalate before holiday weekends. I have a private member's bill that I'm looking for this minister to support—because I'm generally going to support his bill—to protect gasoline consumers.

Auto insurance rates: I'm going to be looking for this minister to be speaking with the Minister of Finance to see if there's some way we can get back to having affordable auto insurance rates in the province of Ontario.

There we are. I'm with the minister. If he wants to stand up and protect consumers in Ontario, I'm right beside him. But I want him to stand up when it comes to electricity prices, natural gas prices, gasoline prices and auto insurance rates.

**Mr James J. Bradley (St Catharines):** On a point of order, Mr Speaker: I hope this applies to government advertising when it says it applies to false advertising.

**Mr David Christopherson (Hamilton West):** While by and large I will be positive in my remarks, I don't know that I want to snuggle up quite as close as my Liberal friends were offering to do on this.

**Mr Duncan:** You guys have been doing a lot of snuggling in the last four years.

**Mr Christopherson:** Oh, they're so touchy. Boy oh boy. You've got to wonder about those polls, eh? An inch deep and a mile wide.

Today I think we've had some good indicators that there's some kind of election in the wind, given the fact that we had a government backbencher, Mr Chudleigh, introduce a piece of legislation that was meant to reflect the respect our community has for emergency response

workers. We supported that. Mr Martiniuk introduced a private member's bill this morning that offered protection to laid-off workers in terms of being able to buy continuing benefits for their families. Now we've got a piece of legislation that—although we don't know for sure until we get right into it; there's a lot to look at—would seem on the surface to offer some protection. You've got to wonder if maybe there is either a blue moon in the sky or an election coming very, very shortly.

Having said that, I do offer the initial support of the NDP caucus for the idea of consumer protection, and particularly for recognizing some of the changes that have happened in society and our economy, particularly on the technological side, as they affect individuals and individuals' ability to transact business in the province—a worthy goal. It's been late in coming. We should have had this here quite some time ago—I know you put your hands in the air. There were hydro consumers, about a million of them, who got scammed and ripped off and you weren't there for them until after the fact. So I think it's appropriate to mention timeliness, given that this should have been in place earlier.

1410

While I'm on that point, let me just point out that while the government talks a good story about protection for consumers and others, we in the NDP would ask the question, where is your protection for minimum wage workers who haven't seen one penny increase in their standard of living in seven years? Where is the protection for hydro consumers in Ontario facing 40% and 50% increases? Where is your protection for them?

Let me remind you that you have still not brought in legislation to protect investors. There are a lot of people who are relying, rightly or wrongly, fairly or unwisely, on investment honesty to ensure they've got a pension at the end of their working lives. Where is your protection for those consumers who want to make sure they're going to have a pension at the end of their working lives? Where is your protection for them?

While it's good that you make this announcement today, there are a lot of things in the province where people are left vulnerable and you haven't taken action. We're going to continue to hold you to account, even if we support, from time to time, legislation that on the surface appears to be good.

On that point, let me say to the minister that I didn't hear you say anything about committee. I'm not going to automatically say that it's definitely got to go to committee for scrutiny. But given the far-reaching aspect of this bill, I would hope that if all of us here begin to hear from experts in the various fields, whether they are consumer groups, legal and other professional representatives or just people in the field dealing with this every day, if they see enough problems, I hope you'll continue the tone you set when you spoke to this and send it to committee and give all of us a chance to ensure this law does what you purport to say it does and that we hope it does.

On that note, we look forward to scrutinizing this bill. We urge the government and will continue to pressure

the government to provide all the protection that consumers, taxpayers, investors and workers in this province deserve, protection you haven't delivered to date.

## ORAL QUESTIONS

### EDUCATION

**Mr Gerard Kennedy (Parkdale-High Park):** I have a question for the Premier. I want to ask you about your role as Treasurer then and as Premier now in lowering the standards in public schools and giving incentives for children to leave the public system for private schools.

Your cuts in 1996 and the turmoil from the failed reforms you approved have borne fruit. You may know, Premier, that statistics released this week from your government show that you have managed to get a 54% increase in the number of kids in private schools since 1995. That's 40,000 children. One in three of all the growth in all the schools in the province are kids going to private schools.

Public education has been the source of economic prosperity. It's been the source of social cohesion. Are you proud that your policies and your bias toward private schools have driven 40,000 kids out of public schools and into private schools?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** The honourable member will know that the province is spending a record \$14.3 billion on education in Ontario this year, spent on public and separate schools across this province. He will know that we've added an in-year amount of \$557 million, the largest, I believe, ever in the history of the province in a one-year period of time. He will know that we're reviewing the funding formula. I wait for Dr Rozanski's report so we can make a further commitment to public education in the province.

**Mr Kennedy:** Premier, you forgot to mention that you cut a huge amount of money out of public schools and that you approved an incentive to private schools that no other jurisdiction in North America has. In fact, 32 US states voted it down. With no strings attached, you give money to families to take their kids out of public schools and put them in private schools. At the same time, your rules have forced the closure of schools in the public boards and you have allowed new schools to open up. Since 1995, 200 private schools have opened and just since 1997 your rules have closed 440 public schools. This is your legacy to education.

What will you tell the parents you are causing to run away discouraged from public education? Will you say you're sorry or will you say just what this appears to be, that this has been your plan all along?

**Hon Mr Eves:** We have not reduced funding to education in Ontario. We have increased it from \$12.9 billion to \$14.36 billion. That is not a decrease, it's an increase. If you want to debate how much we've in-



creased public education funding—and you say presumably we should have done it by more—we can have that debate, but it's very inaccurate to say we've reduced public education funding.

**Mr Kennedy:** Premier, you've managed to engineer a 54% increase in private school enrolment, and that's before your financial incentive kicks in. That's just based on lowering the standards. You can talk all you want over there, parents are talking to you.

Premier, Marg Lewis is a mother of four and she wrote you a letter this week. She said she's got three kids in school right now. She's been actively involved in her school for 10 years. Under your watch, she has put up with peeling paint, vermin, graffiti and vandalism and a threat of her public school closing, her extra effort spent weeding the garden. She has put you on notice that she is going to move her kids into private schools. That's how much confidence she has in your rhetoric.

You seem to have picked up on the cocktail circuit or wherever this bias for private schools. You seem in favour of giving to them and not public schools. I want to ask you on Mrs Lewis's behalf—if you won't respond to this House, respond to the parents—will you cancel your private school tax credit and will you invest funds immediately to bring up the standards in public education?

**Hon Mr Eves:** We are doing both in Ontario. We have dramatically increased our commitment to public education in Ontario. The number of new schools built under the David Peterson government in Ontario, 176; under the Bob Rae government in Ontario, 225; under the Conservative government in Ontario since 1995, 262. So much for your commitment to education in the province.

With respect to choice in education, you might want to confer with your seatmate over here from Vaughan-King-Aurora who is quoted as saying, when he was talking about Jewish schools, "The Liberals were equivocal. We were not violently opposed or thoroughly in favour, but while in power we did nothing about this issue and we're avoiding it now. We see the merits of both sides of the issue, in typically Liberal fashion"—a quote from your seatmate.

**The Speaker (Hon Gary Carr):** New question. The member for St Paul's.

*Interjections.*

**The Speaker:** Come to order. The member for St Paul's.

## BRUCE NUCLEAR GENERATING STATION

**Mr Michael Bryant (St Paul's):** My question is for the Minister of Energy. Bruce Power last June 12 put out a release saying that a pressure tube had been slightly damaged at one of its units and that "the operational impact was not expected to be significant." That's a quote from their release. That turned out not to be the case. In fact, the unit was shut down for the entire summer, depriving the province of Ontario of enough electricity to power a quarter of the city of Toronto.

This is the kind of disaster that leads to enormous amounts of electricity having to be imported from the United States and it drives electricity prices up. Why did the Minister of Energy keep this secret from the public of Ontario?

**Hon John R. Baird (Minister of Energy, minister responsible for francophone affairs):** Let's look at the facts. A unit was taken off generation for routine maintenance, something which is pretty normal in Ontario. In the course of that routine maintenance, there was a concern with respect to a pipe which the member opposite alluded to. The company involved immediately informed the ministry, immediately informed the federal regulator. In fact, the federal regulator is right there.

The Independent Market Operator, in looking at this issue, made the determination that it wouldn't be in the best interests of consumers, given the nature and the difference between supply and cost. There clearly was no secret. We have more than 300 generators in the province of Ontario. Some of them are on, some of them are off, depending on routine maintenance and depending on repairs that are required from time to time.

1420

**Mr Bryant:** To make matters worse, just to give everybody even less confidence in our energy system, we found out today that the Minister of Energy didn't find out about this until he opened up the newspaper this morning. So not only is he keeping it a secret from the people of Ontario; he's keeping it a secret from himself.

What do you mean you didn't know about this? When did the Minister of Energy find out about this, and why didn't the Minister of Energy tell people about this? Your incompetence seems to be matched only by your ignorance. People of Ontario do not expect the Minister of Energy to stay on top of how many pencils are purchased, but they expect you to know if a unit of a nuclear reactor is up or down. You might want to stay on top of that one. What do you mean you didn't know? What kind of briefings are you getting?

When did the Minister of Energy find out about this alarming fact, and why didn't the Minister of Energy tell the people of Ontario?

**Hon Mr Baird:** I did find the rant from the member opposite to be quite amusing. He asked a series of 16 or 17 questions. The last question he asked, he answered himself three times in the course of his preamble.

We have more than 300 generators around the province of Ontario. Each and every day they come on and off-line, depending on the demand for electricity in the province. They all operate, whether it's nuclear power, fossil fuel or hydroelectric power. Some days they may come on three or four different times. They all are taken off-cycle from time to time for routine maintenance. If repairs are required during the course of that routine maintenance, they're done.

With respect to the unit at the Bruce facility, we obviously wear a belt and suspenders. We take extraordinary efforts to protect the public safety. To confirm on the question, I gave immediate notice to the federal

regulator and gave immediate notices to the Independent Market Operator to ensure all the proper courses were followed.

**Mr Bryant:** So let me get this straight. First you blame your electricity problems on your appointee Eleanor Clitheroe, then you blame it on your appointee Floyd Laughren, then you blame it on Mother Nature. Now you're blaming it on Chris Stockwell.

The people don't buy this shell game. The people don't buy it. They want some accountability. They want some answers. It's a farce over there. It's a farce when it comes to electricity. Who's in charge over there? You guys are permanently off-line. When are you going to get your act together on electricity, and how much longer are the people of Ontario going to pay for your ignorance and your incompetence?

**Hon Mr Baird:** If we could only harness the energy of the member opposite, that would certainly more than help us deal with the supply problems we've got in the province of Ontario. We do see a good number of generation coming on-line right across the province, in hydroelectric, in wind and in cogeneration with natural gas.

**Interjection:** In wind.

**Hon Mr Baird:** To the Minister of Labour, I couldn't say just how many megawatts of power would be coming off there, but I suspect that would be a big part of the solution.

#### HYDRO RATES

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. On Monday you said that people of Ontario experienced sky-high hydro bills because of hot weather, but today we learned that unit 6 of the Bruce B generating station was down, which created an electricity shortage that in fact drove the price of electricity through the roof. Premier, just to be clear, when did your government, your ministers, first learn about the shutdown of unit B, and did you ask any questions about what the effect would be on the consumers of Ontario?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** As you know, Bruce Power issued a press release on June 12 and indicated that there was a problem with one tube, which had been shut down for maintenance, I might add, and as a result, obviously that unit was not going to be up and running.

This happens from time to time, as the Minister of Energy has indicated, during the course of production of electricity in Ontario. It happens in the normal course of events. Obviously, when one unit—wherever—is shut down for whatever purpose, other units are up and running or energy is bought from other jurisdictions. That's been going on for a long time.

**Mr Hampton:** Premier, my question was very specific: when did your government first learn about this situation and did you make any inquiries as to what the effect would be on consumers?

People in Ontario through the months of July and August paid \$756 million more than they paid last year during July and August for their hydro, and apparently no one in your government asked, "Is there something wrong here?" Local public utilities had to go out and arrange \$600 million in bank loans to cover the price spikes, and no one in the Conservative government thought to ask, "Is something going on here?"

Yes, the hydro Independent Market Operator knew about it, but under your legislation he's not supposed to tell the public. He's supposed to protect the corporate interest, and consumers be damned.

So I'll ask my question again: did anybody in your government ask, "What is the effect going to be on the hydro consumers of Ontario?"

**Hon Mr Eves:** Everybody in Ontario was informed on June 12 of this year when Bruce Power issued the press release. Every single person in the province, one way or another, through the media, was informed on June 12, if they wanted to take advantage of that information.

He talks about prices of power. We had this discussion, as he said, on Monday. He was talking about the last two months. He noticeably didn't want to talk about the months of April and May of this year when prices on average per kilowatt hour were down in Ontario from previous years; nor does he mention today, for example, that yesterday, the price of a kilowatt hour of electricity dropped almost two cents, from 6.39 cents to 4.50 cents. If you wait for it to get a little colder outside, Howie, the price will continue to drop.

**Mr Hampton:** You should have read the forecast from the Independent Market Operator yesterday because he says you're full of hot air.

Premier, this is exactly what happened in California. Private generating stations would take one of their units off line, create an electricity shortage, drive up the price and then put the screws to consumers at those very high prices.

Did anybody in your government stop to ask the question: "Is this plant, this generating unit, down for this whole time legitimately or is someone trying to game the market?" Did anybody in your government ask, "Gee, British Energy has some generating stations in the United States. Since they knew about this beforehand, are they in fact making money by substituting the power in from the United States?"

I ask the question again: did anybody in your government ask the obvious question, "What's going to be the effect upon consumers? How much are they going to be overcharged?" Or were you too busy looking after your corporate friends, Premier?

**Hon Mr Eves:** I've heard some wild, imaginative scenarios, but that certainly just about takes the cake.

The reality is there are a lot of units that are up and running at Bruce now that your government didn't even see fit to have up and running. For you to be complaining now that they were down for maintenance—why weren't you screaming and yelling at Bob Rae about this when he was the Premier and you were the Attorney General of



the province? Why weren't you complaining that these units weren't up and running then? What seems to be the problem?

The fact that a unit had to be down for maintenance—that goes on, as the Minister of Energy has pointed out, with respect to a lot of units of generation of power in Ontario from time to time. It's gone on for decades and will continue to go on in the future. How are you going to maintain units if you don't shut them down to maintain them?

The reality is that that happens as a normal course of events. When we are short of supply, we buy it from other jurisdictions. When they're short of supply and we're producing excess, we export it to other jurisdictions. That's gone on and will continue to go on.

1430

**Hon Mr Hampton:** Premier, you say, "What's the difference?" The difference is that people weren't overcharged by \$756 million over two months. That's the difference, Premier.

What is really shocking is that this is exactly the scenario that happened in California, and it's now been documented. We also know there was another attempt to game the market this summer where some companies were in effect exporting power into the United States and then bringing the power back from the United States at a much higher price. Yet your government doesn't seem to be concerned about this for one second. You don't seem to care that people were overcharged, that the price of electricity went above \$1,000 a megawatt hour some days this summer.

A couple of other questions: we need to know who profited from the inside knowledge of this shutdown, because what we do know is that some few people would have known early on. We need to know if the repairs were done in a timely fashion or if in effect they took a long time so as to inflate the price of hydro.

We need to know who was out there looking after consumers, because your government certainly wasn't. So I'm asking you, are you prepared to begin now a public investigation to ensure that people aren't being ripped off the way they were in California?

**Hon Mr Eves:** No public investigation is necessary. Bruce Power informed the Canadian Nuclear Safety Commission. They informed the people of Ontario. They issued a press release on June 12.

He talks about the cost. He talks about, under his government, there was no cost. That's the problem, I guess, with your party and your way of viewing things. The cost to not only this generation but probably two more generations of Ontarians was deficits of \$14 billion, \$10 billion, \$11 billion, \$9 billion and \$12 billion a year. That was the cost under your great way of doing business in Ontario. I know that's insignificant to you. You don't think anybody ever has to pay that back, but that is a big, big difference between people on that side of the House and people on this side.

**Mr Hampton:** You might want to remember a certain Brian Mulroney who you supported. Brian Mulroney left

us with a \$43-billion deficit. Every government in the world had to battle tough times.

The really interesting thing here is that the nuclear safety authority doesn't protect consumers. The nuclear safety authority has absolutely no interest in consumers. Your Independent Market Operator has already indicated they're more interested in protecting the confidentiality of corporations than in protecting consumers.

My question remains. The nuclear safety authority isn't going to protect consumers. The Independent Market Operator is looking after your corporate friends. Are you going to have a complete public investigation of who profited from this, of whether or not power markets were manipulated and how much consumers were gouged this summer? Are you prepared to protect consumers?

**Hon Mr Eves:** This is the individual who a few months ago was standing up in the House, saying, "Why are you allowing people to sign fixed price contracts?" This is the same person standing up today, saying, "Now, because I persuaded all those people, driving around the province in my bus, not to sign those contracts, the price of their electricity is too high." You can't have it both ways.

#### IPPERWASH PROVINCIAL PARK

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is for the Premier. Last week in court documents filed in the Ipperwash civil case, new information that has never been public was made public. It shows that at 9 o'clock on September 5, the day before the shooting, Premier Harris and six of his senior advisers, including Mr Lindsay and Miss Hutton, met and discussed Ipperwash. The Premier told the House that he gave no directions to Miss Hutton. An hour after that meeting, Miss Hutton went to the emergency meeting and said these comments:

"Premier is hawkish on this issue—feels we're being tested on this issue.

"Premier wants to deal with the group as if they were non-aboriginals.

"Premier is hawkish on this issue—will set tone for how we deal with these issues over the next four years."

We were never aware that that meeting took place with Premier Harris and the six advisers. In light of this new evidence, which contradicts what the former Premier said and shows more inappropriate political involvement, will you now agree to do the right thing and call a public inquiry?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I believe the Attorney General can respond to this question.

**Hon David Young (Attorney General, minister responsible for native affairs):** The member from Scarborough-Agincourt is making reference to a single document, one of tens of thousands that have been filed by the government and by other sources in a lawsuit in front of the Superior Court of Justice.

I would suggest to the honourable member that if he wants to look at documents, perhaps he should also reference a document that has been filed by the former commissioner of the OPP, Thomas O'Grady. It's a signed affidavit, as opposed to an anonymous handwritten document, which clearly states that the former Premier in no way directed the OPP to act in any certain way in relation to this incident.

**Mr Phillips:** You do not quote that document accurately, but you can answer that question outside the House.

Your refusal, Premier, to call a public inquiry is truly disgraceful. The George family never wanted a civil case. Every lawyer in this province, other than the government's in-house lawyer, Mr Young, believes that a public inquiry is the appropriate vehicle.

The most disgusting thing to me is that the former Premier has spent over a million dollars of taxpayers' money attacking the George family and millions more of taxpayers' money is being spent attacking them. Perhaps the most disgusting of all was that your lawyer, Mr Runciman, called Mr Sam George, one of the most decent people I know, a terrorist. Nothing could indicate more the reason why we've got to abandon this civil case and do the appropriate thing.

Will you now reconsider your decision? I recognize you're in a difficult position, because your Minister of Municipal Affairs, your Minister of Public Safety and Security and one of your transition people, Ms Hutton, are involved in this. I realize you're in a difficult position, but will you reconsider your decision and agree today to do the appropriate thing and call a public inquiry into this event?

**Hon Mr Young:** Indeed there is a civil action underway. I think it's important to remember that it is a civil action that was commenced by the George family. In that civil action, they had the opportunity to, and indeed did, lay out the parameters of the lawsuit. They did that, and indeed that is what is being discussed in the Superior Court of Justice.

In due course, this matter will come in front of a judge—an independent, impartial trier of fact—and a decision will be made. That is the kind of justice that takes place every day in every part of this province. In due course, after that case, if there are still outstanding issues, this government has never closed the door on a further inquiry.

### CONSUMER PROTECTION

**Mr Bert Johnson (Perth-Middlesex):** My question is for the Minister of Consumer and Business Services. Over the summer, you've been doing events to inform Ontarians of potential consumer scams and have given advice on the steps the public can take to avoid such scams. You've highlighted fraudulent activities like unnecessary home and car repairs and schemes aimed at taking advantage of students which ruin their credit ratings. Most recently, I saw you on the news talking about fraud on the Internet.

How will the new consumer legislation you introduced today help my constituents in Perth-Middlesex further protect themselves from scams?

**Hon Tim Hudak (Minister of Consumer and Business Services):** I appreciate the question from the member from Perth-Middlesex. I know how hard he works on behalf of seniors in the Listowel area and such, helping them fight those who may have preyed on them with telemarketing scams or door-to-door driveway repair scams.

The member is right; the last time these laws were changed in a substantial way was in the era when colour TV was a luxury item. We've seen much change as we enter the 21st century, and the reality is that we need to update our laws to make sure we can go after and shut down new and emerging consumer scams in a modern marketplace. We all know that typically vulnerable people like seniors and students away at school for the first time are target markets, and a few bad operators hurt consumer confidence in legitimate and honest business operators.

For the sake of protecting consumers and nurturing growth in our honest businesses, this legislation will be very important. I appreciate the member's support for these initiatives.

1440

**Mr Johnson:** Minister, I'm pleased you've introduced this legislation and I intend to read it over carefully and, if I agree with every word in it, I'll vote for it. I know that my constituents will benefit from having modern consumer laws in place, but unless you put in tough disciplinary action there's no guarantee that these scam artists will be deterred. A small fine, a slap on the wrist, would be nothing more than a small inconvenience for many of these characters. How will your legislation deter scam artists from committing these crimes?

**Hon Mr Hudak:** I appreciate the member's comments that if he agrees with the bill he'll support it, and I can tell him when he gets a chance to read through the bill there are strong enforcement provisions in the legislation. Not only does it have bark, of course, it has a lot of bite. We're going to more than double the maximum fines, up to \$50,000 for individuals and \$250,000 for corporations. Maximum sentencing for individuals will go up to the provincial maximum of two years less a day. We'll also have the power in circumstances to freeze assets and order businesses to stop using false and misleading advertising, as well as the flexibility to go after scams as they morph. Scam artists by their nature are creative; they keep trying new schemes. We want to make sure we keep up with them and shut them down. We want to make sure that Ontario is not open for that kind of business.

### SLOT MACHINES

**Mr Monte Kwinter (York Centre):** I have a question to the Attorney General. I want to go back to the Picov Downs matter. Mr Attorney General, the Management



Board Secretariat issued on April 19, 2000, a directive that said, "...this government announced our three-year plan for gaming in Ontario. As part of that plan we announced a three-year pause in the expansion of new charity casinos," and "A pause in implementation of slot machines at racetracks as of March 31, 2000..." which means there would be no slot machine decisions or implementations until March 31, 2003.

Could you tell me why, in a press interview, the member for the region, the Minister of Finance, said the provincial government has given the initial OK for up to 800 slot machines at Picov Downs. "Picov Downs has been approved," and in fact, "The moratorium ended in March."

What I'd like to know is, did the Minister of Finance unilaterally shorten the moratorium period from three years to two years, and how did this approval take place when there's supposed to be a three-year moratorium ending March 31, 2003?

**Hon David Young (Attorney General, minister responsible for native affairs):** Yesterday in the Legislative Assembly the honourable member stood and quoted from a portion of a newspaper article, and quoted the Minister of Finance. Indeed, to the extent that he did quote, he quoted accurately. Unfortunately, he didn't continue to read that same article in which the Minister of Finance went on to say that no final decision has been made with reference to the number of slots there.

I would ask the honourable member that when he puts facts forward to this great assembly he does so with some greater degree of accuracy.

**Mr Kwinter:** In response to my question the other day, the Attorney General said, "...the OLGC will review the matter, decide what an appropriate business case is, and then it will be submitted to the government.

"I want to stress that the OLGC is an independent, arm's-length agency ... and after they give us recommendations, we will consider this matter. No decision has been made to date."

Here is the letter—the famous letter that the minister in a scrum said he would not release, and I happen to have the letter—from Tim Hudak to Norm Picov, and it says, "...I am writing to advise you that the OLGC has been directed"—in other words, as an arm's-length organization the government has directed them—"to begin discussions with you for the establishment of a slot machine facility, with up to 800 slot machines, at Picov Downs."

You're saying there has to be a business case—

**Hon Mr Young:** Keep reading.

**Mr Kwinter:** I'm going to read it. It says, "The results of the OLGC business case supported the development of a new slot machine facility in the Ajax area with up to 800 slots, subject to prescribed conditions. In March, cabinet reviewed and approved the business case as part of the provincial gaming strategy."

So Mr Minister, the only things that have been left to negotiate are things like site plans, things like—

**The Speaker:** Order. I'm afraid the member's time is up. Attorney General.

**Hon Mr Young:** Indeed, somewhere toward the end of that question, and I use that term loosely, the member on the other side did reference the fact that there were numerous other requirements listed in that very same letter that had to be met in order for that allocation to be made.

The member also referenced the fact that there could be up to 800. I appreciate the Liberals are having difficulty with the term "up to," so I thought of an analogy that might help. Going into the last election, Dalton McGuinty was hoping to win "up to" 103 seats. He won 35, a small fraction of that number.

## VISITORS

**The Speaker (Hon Gary Carr):** Stop the clock. Just before we continue, we have been joined in the Speaker's gallery by a delegation of public accounts committee members from the state Legislative Assembly of Sarawak in Malaysia. Please join us in welcoming our honoured guests.

**Mr John Gerretsen (Kingston and the Islands):** On a further point of order, Mr Speaker: The public accounts committee for the Legislature of Ontario looks forward to a return visit to Sarawak, Malaysia.

**The Speaker:** Talk to your House leaders.

## AUTOMOBILE INSURANCE

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** I second the opinion of the member from Kingston and the Islands.

**Interjection:** You're on that committee, aren't you?

**Mr Gill:** Yes.

My question is for the Minister of Finance. Minister, the constituents in my great riding of Bramalea-Gore-Malton-Springdale and many people across Ontario are very concerned about auto insurance premiums. The insurance companies are worried about their increasing costs while drivers are naturally concerned about their rates. Can you tell this House what the government is doing to ensure that people are protected and that their rates remain reasonable?

**Hon Janet Ecker (Minister of Finance):** I thank the honourable member for the question. I agree that there have been concerns from consumers that want to ensure they have strong insurance protection at affordable prices. We know that the industry has concerns about some of the skyrocketing costs and we all share a concern about the increased abuse of the auto insurance system.

During our first mandate, the Honourable Rob Sampson, my colleague from Mississauga Centre, had led the charge to make some auto reforms where we saw consumers benefit—there was a 12% drop in rates. We know now that the increase in costs—there are further changes that are needed to be made—the increase in

misuse, the increase in prices. We've had a committee chaired by my parliamentary assistant, Ted Chudleigh—also, Mr Sampson and Wayne Wettlaufer have been on that committee—that has been consulting for many days, many weeks now, and will be bringing forward changes this fall that will help to ensure that we have consumer protection, we're stopping abuse and we'll have a strong, competitive car insurance industry.

**Mr Gill:** Minister, it is good to hear that a wide range of stakeholders' groups are participating in the consultation and that they support our plan to keep the auto insurance industry in Ontario competitive. Minister, can you please explain how insurance consumers in Ontario will benefit from these reforms?

**Hon Mrs Ecker:** As I stated, the three goals that we have in the proposals for both regulation and legislative change are to make sure that we are protecting consumers, that we are stopping the misuse and abuse of the system that we're starting to see, and that we do have a very strong, competitive auto insurance industry.

We've been working with health professionals to make sure that in the issues around personal injury cases there is timely treatment, that consumers don't have to go through needless assessments or processes. We're trying to cut red tape for both consumers and the industry. We're trying to set higher standards for those who advocate on behalf of consumers. I think the package, when we get the advice from the consultations my colleagues are doing, will go a long way this fall to better protect the consumers in the auto insurance world.

1450

#### ENVIRONMENTAL PROTECTION

**Ms Marilyn Churley (Toronto-Danforth):** I have a question for the Minister of the Environment. Today the Environmental Commissioner of Ontario released his annual report, and once again, as you know, it's bad news. You are not protecting the environment and you are actually trying to hide information from the public. It's clear that your staff still doesn't have enough resources to monitor water quality in streams and rivers, enforce existing laws and respond to complaints.

Unbelievably, since 1995 your government has reduced the monitoring stations of rural water sources from 730 to 240. This is shocking and unacceptable in the aftermath of the Walkerton tragedy. Far from improving the monitoring and protection of our drinking water, you have reduced it.

Minister, will you reopen those water monitoring stations immediately?

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** Let's just say that we have a slight disagreement with respect to the take on the report from the Environmental Commissioner. Certainly there were a couple of issues that he brought to our attention that we take very seriously and will investigate. We understand that when you have a commissioner reporting yearly, he's going to see things that maybe,

since you're working within that ministry, you don't see as clearly. We accept his report and we embrace it.

With respect, let's be clear about the regulations you speak about. The legislation you spoke about is federal legislation. It is federal legislation and it's the federal government's responsibility to enforce their act. When we do go in and inspect, if they're contravening a federal act and a provincial act or just a federal act, we do challenge and charge under that act as well. But you have to delineate. The federal government passing legislation in the House of Commons is the responsibility of federal environment inspectors. When we pass it, we inspect on ours. Sure, we've got to work more closely with the federal government, but they also need to understand, when they pass legislation, they have to hire inspectors to in fact go out and inspect on their legislation.

**Ms Churley:** I think you got your answers mixed up there. I was talking about reopening those monitoring stations. But one of the many other shocking revelations from the report is that your government has had zero success in protecting habitat in Ontario. The commission states, and listen to this, that in 50 years we could see the caribou population in Ontario be completely wiped out because of your government's lack of biodiversity policies.

This quarter has a picture of a caribou on it. It's one of our most cherished Canadian animals and it's about to disappear under your watch. Yet, incredibly, you're about to allow clear-cutting in the last expanses of boreal forest in northwest Ontario. It's the last range in Ontario of this woodland caribou.

Minister, is it your plan to request the federal government to remove the caribou from the quarter, or are you going to do something about this to protect the caribou in Ontario?

**Hon Mr Stockwell:** I'm extremely surprised the member opposite doesn't know that the Ministry of Natural Resources in Ontario is working on a caribou recovery strategy as we speak. You should know that. We recognize the importance of the woodland caribou population. We've modified our forest management plan to address the species. The caribou forest in Sioux Lookout, I say to the member, is an example of how the government, industry and stakeholders have modified forest harvest patterns to create an environmentally more sustainable place for the woodland caribou.

I say to the member opposite, you should know this. All you had to do was ask the question. We would have been happy to provide you with that. But you take up time today and try to frighten the public that we don't have a caribou strategy. We have a strategy to protect the caribou.

#### BIRTH CERTIFICATES

**Mr Bruce Crozier (Essex):** My question is for the Minister of Consumer and Business Services. I want to go back to the issue of the significant security breach, that being stolen birth certificates.



On June 24, you held a news conference telling Ontarians that you were “cracking down on identity theft.” You said, “I want to assure Ontarians that we take the security of birth certificates very seriously.”

Before holding such an important news conference, I’m sure that any competent minister would have been fully briefed on all the matters relating to the security surrounding birth certificates. The strange thing is that less than two weeks after the original theft, you made this statement: your ministry had discovered and reported the fact that the system was most certainly not secure. They had told police, but apparently they hadn’t told you.

Minister, why were you telling people that the system was secure and you were cracking down while hiding the fact that hundreds of blank birth certificates were missing?

**Hon Tim Hudak (Minister of Consumer and Business Services):** Of course we take the security of birth certificates very seriously. In fact, we’ve brought increased security provisions behind birth certificates to make sure they do not fall into the hands of those who should not have them. For example, we’ve increased the degree of certificates you have to bring to get a birth certificate—guarantors, shared secrets—to protect these, as well as a media campaign to encourage people to keep their birth certificate safe. If you lose it, you have to report it lost or stolen so that it’s deactivated and can’t fall into another person’s hands.

Identity theft is a serious crime. We’re going to continue to fight it and educate consumers about the risks and how to take care of their birth certificates. Here at the ministry we’re working very closely with the OPP and other police forces to find out who was behind the loss of the birth certificates and to make sure they are brought to justice. We take it very seriously. We want to make sure that we clean this up and no more breaches take place in the future.

**Mr Crozier:** In that you didn’t answer the question why you were trying to keep it from the people, I frankly find that hard to believe.

Then the cover-up got even worse. You admitted learning about the theft on August 21. It was the first time your ministry admitted there was a serious breach of security with your birth certificate system. Until yesterday, you wanted us to believe it was a computer glitch. And yes, I’ll go back to your Web site, where you talk about security: “The Ontario government has a new strategy to enhance the security of vital documents. We want to protect Ontarians from identity theft and fraud—and to help our law enforcement agencies fight crime and terrorism.

“In the fall of 2001, the Ontario government passed a new law to change and strengthen the security and safeguards in place for issuing birth certificates. Why? To protect you.”

This was on your Web site on July 8, 2002, when you knew that these birth certificates had been stolen.

Minister, you wanted to cover up the fact that despite the promises you made, our vital documents weren’t secure. How can you defend this?

**Hon Mr Hudak:** We have, as I mentioned, brought in stronger security to make sure that our vital documents stay secure. I was alerted on August 21 about a significant loss of birth certificates, and we immediately shut down the birth certificate system in the regional offices, working on the advice of police. We wanted to make sure, on the advice of police services, police forces, that we could find out who was behind this, who were the individuals or individual who had stolen birth certificates, and to go after them and bring them to justice. We take this very seriously.

We’ll continue to work with police forces to find out how they went missing, who had them, and make sure they’re brought to justice.

## VICTIMS OF CRIME

**Mr Norm Miller (Parry Sound-Muskoka):** My question is for the Attorney General. Minister, my constituents believe it’s important that the interests of victims are always of paramount concern in the justice system. For some victims, the aftermath of a crime is as traumatic and horrifying as the crime itself. I believe we must do more to help victims and to ensure that they are not forgotten as they struggle to put their lives back together.

Minister, can you tell my constituents what actions we have taken recently to make sure their voices are heard?

**Hon David Young (Attorney General, minister responsible for native affairs):** Indeed, the member raises a very important issue, and it was an issue that for too long was forgotten by governments of all political stripes.

Certainly since 1995, this government has stood solidly on the side of victims across this province. We’ve done so to ensure that they have the respect they deserve and indeed the help they deserve when they become involved in court proceedings.

We have already allocated \$18.5 million from the victims’ justice fund for such valuable programs as support link, which is a wonderful program that provides cellphones that are pre-programmed to dial 911 and get help to the individual at risk immediately. We have funded the victim support line. We have funded the victim crisis assistance and referral service, and our elder abuse strategy, quite frankly, is one that is being watched throughout the world because it is one that is ahead of its time.

1500

**Mr Miller:** Minister, we do have the VCARS program in Parry Sound-Muskoka. In fact, there was a new program started last year in Parry Sound, and there’s a thriving VCARS program in Muskoka, with over 90 volunteers really making a difference in the community.

Minister, it’s good to talk about funding, but of course it’s more than that. Victims need help. They need to feel safe. They need justice. Victims need support within their own communities to help them rebuild their lives. What

other steps is this government taking to help victims of crime in real, direct and meaningful ways?

**Hon Mr Young:** Indeed the member is right. It's not just about money; it's about respect and it's about demonstrating this commitment in a very tangible and palpable way.

We have done that. Over the last number of years, we have come forward, not only with information pamphlets and information on the Internet, but have made available pre-trial information and assistance for individuals who find they have been victimized as the result of a crime. We have referrals to other victims' services easily available and support available to victims in courts across this province.

In addition, we have relatively recently introduced counselling services for victims, which often make a great deal of difference for those who find themselves in these unfortunate circumstances.

#### LAKEVIEW GENERATING STATION

**Mr James J. Bradley (St Catharines):** I have a question for the Minister of the Environment about this damning report from the Environmental Commissioner of Ontario, condemning the job this government has done on the environment.

First of all, I want to ask, and I'm glad the former minister was here: back in the year 2001, the former minister had a regulation governing the Lakeview generating station—it's on page 6 in there—and the conversion to natural gas. Your government was dragged, kicking and screaming, by the opposition into converting the Lakeview generating station to natural gas. But when you did it, the Environmental Commissioner says, you could have done a great job of it. You could have done as the Deputy Premier wanted. You could have converted the boilers to new, efficient boilers instead of just converting to gas. Could you tell us why you abandoned the proposal of the previous Minister of the Environment to convert the Lakeview generating station to new, efficient boilers? You have the answer in now, so you can read it. Could you please tell us that?

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** Mr Speaker, it's clear that would be a question for the Minister of Energy.

**Hon John R. Baird (Minister of Energy, minister responsible for francophone affairs):** We obviously take the Environmental Commissioner's role seriously. We all want to protect our environment and improve the quality of our air, our water and our soil.

The Environmental Commissioner did make some comments with respect to the Lakeview thermal-generating station, which produces more than 1,000 megawatts of power at a time. Obviously, given the government's decision and indeed commitment to either close or convert the facility by 2005, it would seem rather silly to change some boilers in the event that it did close. Why make an investment if it may very well close?

**Mr Bradley:** The question revolves around the conditions of sale and the conditions of conversion. One would recognize, if the plant wasn't going to operate at all, that indeed you wouldn't. What I am asking about is that the recommendation was made by the previous minister and, I think, agreed with by the environmental community and others, that if this plant were to be converted from coal-fired to gas-fired, a condition would be that they must put in new boilers and new equipment. There is a possibility that the plant could be for sale under those conditions. What I'm asking is why you abandoned what I thought was a good original position of insisting on new boilers, a new, efficient furnace, a new operation, if that plant was to be converted to natural gas.

**Hon Mr Baird:** No one on this side of the House would ever abandon the good thoughts and advice of the former Minister of the Environment, someone who worked very hard to protect our air, water and soil. I think the issue here may relate to the whole definition of conversion. It's not just an issue of installing some new elements or a new boiler. In fact, what may be required is that the existing facility be torn down and a new one built. So it would seem that until that determination is made, we made a significant commitment to not waiting until 2007, but until 2005, two years sooner than the plan of another party, to convert the facility to natural gas or another type of generation. That's a commitment that was made and a commitment that will be followed.

#### SOCIAL SERVICES

**Mrs Julia Munro (York North):** My question is for the Minister of Community, Family and Children's Services. I know you did a great deal of travel throughout the province over the summer recess, and I want to congratulate you on that extensive tour. I was able to join you on one of the visits in my riding, but I know you were able to visit two other agencies in York North. I'd ask if you could tell my constituents about the places you visited in my riding.

**Hon Brenda Elliott (Minister of Community, Family and Children's Services):** I did have a very rewarding and interesting summer. I managed to travel across the province and visit over 40 different ridings and at least 50 different organizations throughout those communities.

I was travelling for a number of reasons. I wanted to learn first-hand about the innovative programs my ministry offers; to learn some best practices that have been evolving in various organizations; to say thank you, on behalf of the government, to all the people who deliver services to our most needy and vulnerable people in Ontario; and also to hear first-hand, as a new minister, some concerns and issues that may pertain to my ministry. It was a very rewarding summer, as I said. I learned a great deal.

In my colleague's riding, I had the pleasure of visiting an organization called New Leaf: Living and Learning Together. This is an amazing organization. I want to say publicly how very much I enjoyed visiting them. This



particular organization cares for hard-to-serve clients who would otherwise be in an institutional setting, and they are to be congratulated.

**The Speaker (Hon Gary Carr):** I'm afraid the minister's time is up.

**Mrs Munro:** I'm sure my constituents will be pleased to learn that this government is taking the time to learn about the services in the communities they serve.

Minister, it is my understanding that you have not just spent time in my community but throughout the province. I'm sure other members would like to know about the tour when the House was in recess.

**Hon Mrs Elliott:** Thank you to my colleague for York North. I also had the opportunity in her riding of visiting the York Region CAS infant development and early intervention services for teens, and many other programs.

I would like to take this opportunity to thank my colleagues who took the time this summer to travel with me to many of these various programs, many of which they had actually indicated to me they felt were worthy of a visit. It certainly was enlightening to me.

I had the opportunity to talk to Ontario Works recipients, people who delivered the programs, those who received the programs, and met with many dedicated volunteers. We must thank them, because without them, many of the services we offer would not be as complex and complete as they are.

I also had the chance to visit some of the Early Years centres that are up and running in various communities, and will be in every riding across the province over the next year or so.

To my colleague from York North, we also had a wonderful opportunity to open a playground—

**The Speaker:** I'm afraid the minister's time is up.

### HOSPITAL FUNDING

**Ms Shelley Martel (Nickel Belt):** I have a question to the Minister of Health regarding the Sudbury Regional Hospital.

You will know that Mr Jean-Paul Aubé, chair of the operations and capital review committee, has already said publicly that our community should expect to fundraise even more to pay for the capital construction of our hospital. That is not acceptable—not to me and not to our community.

You should know that the city of greater Sudbury has already committed to pay \$28 million for the project over a number of years and another \$17 million is being raised locally now through the Heart and Soul fundraising campaign. That's enough. That's more than enough. Our community should not be asked to pay for even more to get this project complete.

Minister, can you guarantee today that you will not force or demand our community to fundraise one more cent to complete the Sudbury Regional Hospital capital project?

**Hon Tony Clement (Minister of Health and Long-Term Care):** As the honourable member knows, and

perhaps other members of this House know, there has been a considerable issue with the Sudbury hospital. There was a considerable amount over budget when it came to the capital campaign of the hospital, and indeed the hospital is undergoing a review which is reviewing not only the capital of the hospital but also the operations of the hospital. I think it is too soon to jump to any conclusions. I encourage the honourable member to work with us. The Liberal member for Sudbury is doing the same thing. We all want a hospital in Sudbury that is viable, sustainable and prudent with the finances that it takes from the public of Ontario.

**Ms Martel:** If I might, I'm not jumping to conclusions. Mr Aubé has been very public in our community in a number of media interviews, saying that our community should expect to pay more as a result of the report he has provided to your ministry.

1510

You need to recognize that our hospital is a regional hospital. Patients from right across northeastern Ontario come to Sudbury for cancer care, cardiac care and neonatal and trauma services, but essentially it's local residents from Sudbury who are paying the 30% local share for this capital project. That has to change. You need to change the funding formula so that your government picks up 85% of hospital construction costs for regional hospitals because that is the only fair way to ensure that the local share of a hospital, which is used by patients from across a region, in this case northeastern Ontario, can be paid for.

In view of the very public recommendation which has been made to your government to have our community pay even more for the capital costs of this project, will you commit today to changing the funding formula so that 85% of the capital costs will be picked up by your government and our community will not have to fundraise even more?

**Hon Mr Clement:** Let's just state for the record that many communities that have hospitals that are being recapitalized and renovated are in fact contributing to the funding of the capital plan. It is for a hospital restructuring program based on HSRC directions. It has been typical across the board that it be 70-30, 70% paid by the province and 30% paid for by the local community.

I should stress that the local community in Sudbury has been very active and very successful in getting local philanthropists and contributors to the capital campaign. I have every expectation that once we receive the operational review and once we have a review of the situation, we will in fact have a Sudbury hospital that delivers excellent care and is viable in the long run. That's the side we're on.

### HAZARDOUS WASTE

**Mr Dominic Agostino (Hamilton East):** I have a question to the Minister of the Environment. Minister, I want to ask you about SWARU and the landfill site issue in Hamilton. As you know, over a five-year period

thousands of tonnes of hazardous waste were sent there unchecked by your ministry. Your ministry bungled the investigation. The police have told us in their reports that your ministry totally screwed up. Will you today call an independent investigation into the dumping of this material at SWARU?

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** Right now we are determining whether or not, due to the decision of the courts, the decision will be appealed. It's difficult for me to comment specifically on the issue because, again, it's a decision we'll have to take before I can go any further. If I talk too much about it, then obviously it's going to impact the decision our ministry will take with respect to the legal implications involved in moving forward.

I would say to the member that the situation, in my opinion, is one that we are looking at as the Ministry of the Environment and investigating very carefully. It's been brought to my attention by a number of my own caucus mates and we have determined that the Ministry of the Environment is reporting back to me with its comments.

**Mr Agostino:** The minister obviously is on the wrong briefing note. Your ministry investigated for 18 months and you didn't lay any charges. You turned it over to the police, and let me tell you what the police said about your investigation. "The decision not to lay charges due to insufficient evidence was quite questionable. Throughout the period from 1994 to 2000" the whole process "went unchecked." This is the police. They said you screwed up your investigation in the 18-month period. You didn't interview the people who were involved. You interviewed by e-mail the person who was running the SWARU incinerator who was responsible for those thousands of tonnes of hazardous waste going to the landfill site in Glanbrook. Your ministry totally mishandled it. The police have told you that through their investigation.

I'm asking you again today for the sake of ensuring that this never happens again. The incinerator is in my riding. The landfill site is in the riding of the member for Stoney Creek. There are concerns by residents on both sides. Again, will you today call for an independent investigation—

**The Speaker (Hon Gary Carr):** Minister?

**Hon Mr Stockwell:** Basically, I responded to the question to the first time saying yes, we're investigating internally in the Ministry of the Environment to determine exactly what happened and what took place.

The Ministry of the Environment can't proceed specifically on the charges because the two-year statutory limit has expired. It's now up to the police to decide to proceed with a criminal investigation. If your question to me specifically is, are we prepared or are we going to investigate what happened, what went wrong, and correct the action, yes. I said we are going to investigate it to determine what went wrong and we're going to take corrective action. I don't disagree with you; it's an unacceptable conclusion to this issue and I think the Ministry of the Environment needs to investigate why this

happened to ensure it doesn't happen again. Yes, I agree. We'll investigate.

## BUSINESS OF THE HOUSE

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** On Monday afternoon we will be debating Bill 131, interjurisdictional support, and in the evening, Bill 151, waterfront restoration.

On Tuesday afternoon we'll be debating Bill 151, waterfront restoration, and in the evening, Bill 177, municipal act.

On Wednesday afternoon we will be debating Bill 175, sustainable water, and in the evening it is to be announced.

On Thursday afternoon we'll be debating Bill 175, sustainable water, and in the evening, upon a request from the opposition party as to a proceeding that evening to honour Lyn McLeod—they've asked us not to sit Thursday evening. I've agreed, so the House will not sit Thursday evening.

## PETITIONS

### NATURAL GAS RATES

**Mr Dwight Duncan (Windsor-St Clair):** I have a petition to the Legislative Assembly of Ontario that reads as follows:

"Whereas the Ontario Energy Board has consented to allow Union Gas to retroactively charge \$40 per month for a three-month period to recover additional system operation costs that occurred during the winter of 2000-01 totalling approximately \$150 million; and

"Whereas Union Gas will recover accrued costs over the peak heating season, causing undue hardship; and

"Whereas this retroactive charge will affect all customers who receive Union Gas, including new homeowners and new customers to Union Gas;

"Therefore we demand that the Ernie Eves government issue a policy directive under section 27.1 of the Ontario Energy Board Act disallowing the retroactive rate hike granted to Union Gas, and we further demand that the Legislature examine the Ontario Energy Board, its processes and its resources, and make changes that will protect consumers from further retroactive increases."

I'm pleased to affix my signature to this petition.

### LONG-TERM CARE

**Ms Shelley Martel (Nickel Belt):** I have petitions that were done this summer and were sent to me by Grace Beardsworth, president, Family Council, Houses of Providence, and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Conservative government increased fees paid by Ontario seniors and other vulnerable people



living in long-term-care facilities by 15%, instead of providing adequate government funding for long-term care; and

"Whereas the Conservative government has therefore shifted the cost of long-term care on to the backs of the frail elderly and their families; and

"Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

"Whereas in 1996 Ontario abandoned its minimum requirement of 2.25 hours of nursing care per nursing home resident; and

"Whereas the government's own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

"Whereas according to the government's own study, government cutbacks have resulted in Ontario seniors receiving just 14 minutes a day of care from a registered nurse; and

"Whereas the report also found that Ontario residents receive the least nursing, bathing and general care of nine other comparable locations;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Conservative government eliminate the 15% fee increase for residents of long-term-care facilities, increase the number of nursing care hours for each resident to a minimum of 3.5 hours per day, and provide stable, increased funding to ensure quality care is there for Ontario residents of long-term-care facilities."

I agree with the petitioners and I've affixed my signature to it.

#### HYDRO ONE

**Mr David Caplan (Don Valley East):** I have a petition from residents of Don Valley East: "Stop the Sale of Hydro One.

"To the Legislative Assembly of Ontario:

"Whereas the Conservative government plans to sell off Hydro One and Ontario's electricity transmission grid—the central nervous system of Ontario's economy;

"Whereas the government never campaigned on selling off this vital \$5-billion public asset and never consulted the people of Ontario on this plan;

"Whereas Ontario families want affordable, reliable electricity—they know that the sale of the grid that carries electricity to their homes is a disaster for our communities;

"Whereas selling the grid will not benefit consumers—the only Ontarians who will benefit are Bay Street brokers and Hydro One executives;

"Whereas selling Hydro One and the grid is like selling every 400 series highway in the province to private interests—selling the grid means the public sector will no longer be responsible for its security and protection;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature as follows:

"We demand the Conservative government halt the sale of Hydro One until the government has a clear mandate from the people of Ontario—namely, the owners of Hydro One."

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#### LONG-TERM CARE

**Ms Shelley Martel (Nickel Belt):** I have a petition that has been sent to me by Mrs Lavinia Smith of Pickering, Ontario. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the daily increase of \$7.02 starting August 1, 2002, for residents in long-term-care facilities is not in keeping with the increases of prior years;

"Whereas this large increase in rates is a severe financial burden to residents and to family caregivers to maintain a loved one in a long-term-care facility and maintain themselves in order not to ask the government for financial assistance;

"Therefore we, the undersigned, petition the Legislature of Ontario to repeal this large increase and reduce the rates to a nominal increase as in prior years."

I agree with the petitioners and I have affixed my signature to it.

#### HIGHWAY 69

**Mr Rick Bartolucci (Sudbury):** This petition is to the Legislative Assembly of Ontario. It's one package of the 20,000 signatures on a petition that I'll be reading into the record over the course of the next several weeks.

"Whereas modern highways are economic lifelines for the north; and

"Whereas the stretch of Highway 69 from Sudbury south to Parry Sound is a treacherous road with a trail of death and destruction; and

"Whereas the carnage on Highway 69 has been staggering; and

"Whereas the Harris-Eves government has shown gross irresponsibility in not four-laning the stretch of Highway 69 between Sudbury and Parry Sound; and

"Whereas immediate action is needed to prevent more needless loss of life; and

"Whereas it is the responsibility of a government to provide safe roads for its citizens, and the Eves government has failed to do so;

"Be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to urge the Eves government to begin construction immediately and four-lane Highway 69 between Sudbury and Parry Sound so that the carnage on Death Road North will cease."

I of course affix my signature to the petition. I give it to Paula to bring to the table.

#### LONG-TERM CARE

**Mr Peter Kormos (Niagara Centre):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas the Conservative government increased fees paid by Ontario seniors and other vulnerable people living in long-term-care facilities by 15%, or \$213 a month, instead of providing adequate government funding for long-term care; and

"Whereas the Conservative government has therefore shifted the cost of long-term care on to the backs of the frail elderly and their families; and

"Whereas the increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

"Whereas in 1996 Ontario abandoned its minimum requirement of 2.25 hours of nursing care per nursing home resident; and

"Whereas the government's own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

"Whereas according to the government's own study, government cutbacks have resulted in Ontario seniors receiving just 14 minutes a day of care from a registered nurse—less than half the time given to residents in Saskatchewan; and

"Whereas the report also found that Ontario residents receive the least nursing, bathing and general care of nine other comparable locations;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Join the Ontario New Democratic Party in demanding that the Conservative government eliminate the 15% fee increase for residents of long-term-care facilities, increase the number of nursing care hours for each resident to a minimum of 3.5 hours per day, and provide stable, increased funding to ensure quality care is there for Ontario residents of long-term-care facilities."

That was submitted by Lillian Pagnini of Jane Street in Toronto, and she's joined by many other signatories as well as by myself.

**Mr James J. Bradley (St Catharines):** This is a petition to the Legislative Assembly of Ontario:

"Whereas the Eves government has increased the fees paid for by seniors and the most vulnerable living in long-term-care facilities 15% or \$7.02 per diem effective August 1, 2002; and

"Whereas this fee increase will cost seniors and our most vulnerable more than \$200 a month; and

"Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

"Whereas the increase in the government's own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

"Whereas according to the government's own funded study, Ontario ranks last among comparable jurisdictions in the amount of time provided to a resident for nursing and personal care; and

"Whereas the long-term-care funding partnership has been based on government accepting the responsibility to fund the care and services that residents need; and

"Whereas government needs to increase long-term-care operating funding by \$750 million over the next three years to raise the level of service for Ontario's long-term-care residents to those in Saskatchewan in 1999; and

"Whereas this province has been built by seniors who should be able to live out their lives with dignity, respect and in comfort in this province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Demand that Premier Eves reduce his 15% fee increase on seniors and the most vulnerable living in long-term-care facilities and increase provincial government support for nursing and personal care to adequate levels."

I affix my signature. I'm in complete agreement.

### OPTOMETRISTS

**Ms Shelley Martel (Nickel Belt):** I have a petition that was sent to me by Dr F.G. King of Thunder Bay. It's signed by a number of residents of that city. It reads as follows:

"To the Ontario Legislature:

"Whereas the Legislative Assembly of the province of Ontario will be considering a private member's bill that aims to amend the Optometry Act to give optometrists the authority to prescribe therapeutic pharmaceutical agents for the treatment of certain eye diseases; and

"Whereas optometrists are highly trained and equipped with the knowledge and specialized instrumentation needed to effectively diagnose and treat certain eye problems; and

"Whereas extending the authority to prescribe TPAs to optometrists will help relieve the demands on ophthalmologists and physicians who currently have the exclusive domain for prescribing TPAs to optometry patients; and

"Whereas the bill introduced by New Democrat Peter Kormos (MPP—Niagara Centre) will ensure that patients receive prompt, timely, one-stop care where appropriate;

"Therefore I do support the bill proposing an amendment to the Optometry Act to give optometrists the authority to prescribe therapeutic pharmaceutical agents for the treatment of certain eye diseases and I urge the government of Ontario to ensure speedy passage of the bill."

I agree with the petitioners and I have affixed my signature to it.

### AFFORDABLE HOUSING

**Mr Dominic Agostino (Hamilton East):** I'm pleased to get up and read a petition presented to my good colleague and friend David Caplan, the member for Don Valley East, "Fair Rent Increases Now."

"To the Legislative Assembly of Ontario:

"Whereas the number of tenants receiving above-guideline increases is growing exponentially, and;



"Whereas many of these increases are for increases in utility costs, many of which have gone down since; and

"Whereas tenants should not have to pay for improvements forever, even when the costs have been realized by these rent increases; and

"Whereas the Tenant Protection Act does not give a tenant relief due to the costs being realized or a drop in utility costs; and

"Whereas tenants should not be receiving rent increases where there are work orders issued for the building;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to immediately pass MPP David Caplan's Bill 134 entitled the Fair Rent Increases Act at the earliest possible opportunity so that tenants can get relief from above-guideline increases once the bills have been paid."

I support this, and I know my colleague Michael Bryant supports this as well.

### CHILD CARE

**Ms Shelley Martel (Nickel Belt):** I have petitions that have been sent to me by C. Bradford of Oshawa and from the Waterview Child Care Centre, also in Oshawa. I reads as follows:

"Whereas 70% of Ontario women with children under age 12 are in the paid workforce;

"Whereas high-quality, safe, affordable child care is critical to them and their families;

"Whereas the Early Years study done for the Conservative government by Dr Fraser Mustard and the Honourable Margaret McCain concluded quality child care enhances early childhood development;

"Whereas this government has cut funding for regulated child care instead of supporting Ontario families by investing in early learning and care;

"Therefore, be it resolved that the Ontario government adopt the NDP's \$10-a-day child care plan and begin implementation by reducing full child care fees to \$10 a day for children aged two to five currently enrolled in regulated child care by providing capital funds to expand existing child care centres and build new ones, by funding pay equity for staff and by creating new \$10-a-day child care spaces in the province."

I agree with the petition and I've affixed my signature to it.

1530

### EDUCATION FUNDING

**Mr David Caplan (Don Valley East):** I have a number of petitions that have been signed by parents who send their kids to the Farsi-speaking language school at Donview Middle School and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Progressive Conservative government promised in 1995 not to cut classroom spending, but has

already cut at least \$1 billion from our schools and is now closing many classrooms" completely; and

"Whereas international language weekend classes are a needed part of learning for many students in our area; and

"Whereas the Education Act, specifically regulation 285(5), mandates provision of these programs where demand exists; and

"Whereas the Conservative government funding formula is forcing the Toronto District School Board to cancel these Saturday classes for groups who want this programming;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to instruct the Minister of Education to restore meaningful and flexible funding to the Toronto District School Board, to ensure that they are able to continue to accommodate these Saturday international languages classes."

I'm going to give this petition to Valerie, our wonderful page here, and I wholeheartedly agree with it. I have affixed my signature to it.

### NOTICE OF DISSATISFACTION

**The Deputy Speaker (Mr David Christopherson):**

Pursuant to standing order 37(a), the member for Hamilton East has given notice of his dissatisfaction with the answer to his question given by the Minister of Environment concerning the SWARU and Glanbrook landfill site.

**Mr Dominic Agostino (Hamilton East):** On a point of order, Mr Speaker: I asked and I think we're agreed. I've spoken to House leaders so that we have unanimous consent for this to be debated on Tuesday night, since neither the minister nor the PA is available tonight.

**The Deputy Speaker:** A request for unanimous consent to hold this over until Tuesday. My understanding is that the minister is also OK. I see the House leader of the third party nodding. Do we have unanimous consent? Agreed.

### ORDERS OF THE DAY

#### INTERJURISDICTIONAL SUPPORT ORDERS ACT, 2002

#### LOI DE 2002 SUR LES ORDONNANCES ALIMENTAIRES D'EXÉCUTION RÉCIPROQUE

Resuming the debate adjourned on September 24, 2002, on the motion for second reading of Bill 131, An Act to facilitate the making, recognition and variation of interjurisdictional support orders / Projet de loi 131, Loi visant à faciliter le prononcé, la reconnaissance et la modification des ordonnances alimentaires d'exécution réciproque.

**The Deputy Speaker (Mr David Christopherson):** It's my understanding that we are now at the point where questions and comments can be made to the opening debate made by the member for Niagara Centre. Therefore, the floor is open for two-minute questions and comments.

**Mr Michael Bryant (St Paul's):** I can say that I enjoyed and listened with interest to the speech from the member for Niagara Centre. We are in agreement with respect to a number of things.

First, the failed commitment to victims of deadbeat dads by this government is part of the motivation, I'm sure, that went into this bill, which we support, but it still is not being addressed. Obviously, if you cannot enforce an order in Ontario in terms of getting the money out of the deadbeat, even though you may now have a legal order that is enforceable, then this is a right to spousal support without a remedy. This is justice delayed and, therefore, justice denied for the many, many victims of deadbeat dads and deadbeat spouses. This is an issue that continues to really plague this province and, I know, this government because, let's be clear, they made commitments in their 1995 election campaign and in their 1999 election campaign to crack down. They have made this a political issue, as a result, and have to be held accountable for their failure to meet the promise.

I thought the mantra from over there was "promise made, promise kept." In this case, it was "promise made, promise broken." Why? Because of the extraordinary arrears at the Family Responsibility Office. Basically, three quarters of the cases in that office, notwithstanding all the hard work done by the staff at the FRO, in fact is not being addressed. It's a failure of this government. It's a shortcoming of the government. Yes, we've got a bill, which we support, which is going to help provide a legal opportunity, but that opportunity won't be fulfilled until this government meets its commitments with respect to victims of deadbeat dads.

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** It is a pleasure to get in the debate and respond to the member from Niagara Centre as well as the member from St Paul's, who just spoke. I think what he really means is not only deadbeat dads, but deadbeat parents; I'm sure you'll agree.

**Mr Bryant:** Both, yes.

**Mr Gill:** Both; I think the member has agreed.

I will be speaking at length. I do appreciate that every member of the House concurs, agrees, that this is a good bill. I will be speaking on it at length. I appreciate everybody who has spoken so far. I know this is long overdue. This does extend the arm of the law to all the states of the United States of America.

**The Deputy Speaker:** Further questions and comments? Second call. Hearing none, back to the original speech maker, the member for Niagara Centre.

**Mr Peter Kormos (Niagara Centre):** Reciprocal enforcement of maintenance or support orders legislation has existed in this province since at least 1948. This bill, Bill 131, is an effort to comply with the agreement made

by the Premiers to effect harmonization of that legislation across the 10 provinces of Canada.

I've read the legislation. I've read it carefully. I've read it several times. There are elements of it that I believe warrant scrutiny in a committee process. The suggestion to me earlier today by the government House leader was that the government thought this bill was perfect and didn't require any committee consideration. Well, I beg to differ. How many times have we taken a bill to committee believing that it was going to be in committee for a merely perfunctory process, only to discover that the committee process has enabled us—it's true—to find defects in the bill that were improved as a result of input by members of the public or the debate that occurs at committee? It has happened over and over again.

I have to tell you, I've been one of those people who has suggested to other House leaders, "Oh, this bill should only have one or two days in committee; I can't see how anything would be contentious," yet as sure as God made little apples, it gets into committee and we discover that there was an element that could be improved, corrected, fine-tuned.

In view of the fact that we're not likely to see this type of legislation readdressed in this province for a good chunk of time, I submit to you that this bill belongs in committee. I exhort this government to send this bill to committee once it is inevitably, and it will be, passed for second reading. All three parties support it. New Democrats support it in principle on second reading. Committee is where it belongs so that before it's put forward for third reading it can be improved where improvements are critical.

**The Deputy Speaker:** Further debate?

**Mr Frank Klees (Oak Ridges):** I'm pleased to add to the debate on this bill, the Interjurisdictional Support Orders Act.

I know, Speaker, that you probably would agree with me that one of the most frustrating things we have to deal with in our constituency offices is single parents who are having a difficult time finding a way for the defaulting parent to come good on support orders. Unfortunately, we can't legislate responsibility. It's always frustrating when we find circumstances where parents have abandoned their responsibility to their children. It unfortunately defaults to government to find some way to enforce the orders that have been made, and that in itself is not an easy process.

The member opposite referred to the work of the Family Responsibility Office. It's not a perfect process, for sure. I must say, though, from our experience, and I would think that it's probably the experience of most members here, there has been a significant improvement in the performance of that office, in the work they're able to do. That largely is as a result of initiatives brought forward by our government to implement some enforcement mechanisms. As a member, I still on occasion am frustrated because that is such a tedious process. It takes



so long and often the mother, the parent, the children, are under financial duress, so we have to address this.

1540

This bill before us today would make it easier and less costly to Ontario families to obtain support from parents and spouses who live outside the province. It's difficult enough when both parents reside in Ontario, but there are some difficulties that are experienced when the defaulting parent lives outside the province.

If passed, this bill would simplify, streamline and update existing processes by replacing the Reciprocal Enforcement of Support Orders Act that is currently in place in Ontario. For example, under the new legislation the current complex two-stage hearing process would be replaced with a single hearing process. This is a major change that would save time and money and would certainly help remove a lot of the stress that currently is inherent in the extended process that's in place.

Currently, if someone wants to establish or vary a support order, two hearings must be held: one in the originating jurisdiction and one in the receiving jurisdiction. If this legislation is passed, there would be only one hearing, in the receiving jurisdiction. The person wishing to establish or vary the support order would simply complete an application package, which would be sent to the receiving jurisdiction for a support order then to be made.

The proposed legislation would also perform another important function. If passed, the act would help the courts determine which jurisdiction's laws apply to the child support order. It would give Ontario courts guidance in determining whether the law of Ontario or the law of another jurisdiction applies to a particular case.

Also, this bill, if passed, would ensure a child-focused test when making this determination. I think it's important we understand that at the epicentre of all these circumstances are innocent children. What we're trying to do as legislators through this bill, to the degree possible, is remove that stress level and ensure the child's welfare is looked after.

For example, in a case where a mother and child are living in Alberta and have applied for support from a father who has moved to Ontario, the Ontario court would first consider the law of Alberta to determine if the child was indeed entitled to support. If the child was not entitled to support under Alberta law, the Ontario court could then consider if the child would be entitled to support under Ontario law, and then make a support order on the basis of that Ontario law.

There is yet another important element of this bill that I believe should be mentioned. The proposed legislation would also give automatic recognition to orders from other Canadian provinces and territories. This means an order that is made in another Canadian territory or province would be appropriately registered in Ontario and would then automatically be enforced through the procedures we have in place here.

Parties would no longer have the right, as they do now, to apply to set aside a registration of an order from

another Canadian province simply because of the jurisdictional issue. Anyone objecting would be required to address their concerns in the province that made the order.

I would like to make it clear that Ontario will continue to provide enforcement of foreign support orders that are currently enforced under the Reciprocal Enforcement of Support Orders Act. Countries that have reciprocal arrangements in place with Ontario would have those arrangements extended under this proposed act. That means, very simply, that the proposed simplified establishment and variation process would apply to countries that have similar processes, including the United States, Australia, as well as the United Kingdom.

Earlier this year, our government and the United States federal government established an arrangement which allows Ontario and the US to enforce support orders for each other's residents. Again, a very important measure that was taken, simply because of the fact that we have so much of this cross-border travel.

Previously, Ontario had arrangements with 40 US states, but this new federal-level arrangement now captures all of the additional states and US protectorates of the District of Columbia, American Samoa, Guam, Puerto Rico, as well as the US Virgin Islands.

This arrangement also makes it easier to improve enforcement co-operation with the United States because Ontario can deal now with one federal agency instead of 50 different states.

Those not impacted by child support and spousal support issues may find it hard to understand the importance of this proposed legislation. All of us here, and certainly those families who are affected or have been affected by a defaulting spouse, know how significant this step is and how important it is. Simply put, it comes down to this: if the bill is passed, it will make the process of getting or changing a support order that much easier, that much faster, and it will restore stability to many families, not only here but in other jurisdictions.

So for the thousands of children and families that are impacted, I believe this is great news. It means less money spent on legal expenses. And often that legal process itself, apart from the expense, creates considerable stress within the family circumstance. It leaves money, then, that would otherwise be spent on that legal process for more important things like food, shelter and clothing.

The reality of today's society is that sometimes marriages break up and parents move away. But borders should not then be an obstacle for children and families who are owed support by the other family.

This legislation, if passed, will remove those obstacles and will help to ensure that every child and every family gets the support they are entitled to.

I commend the Attorney General for bringing this bill forward. I really do believe that it deserves the support of all members of this House, regardless of which party, because I believe we're all involved, in our daily lives as

members, in trying to address this very important issue. This will go some distance toward resolving that issue.

**The Deputy Speaker:** I ask to have the clock stopped and bring to the attention of the House that we have with us today in the Speaker's gallery the Honourable Douglas John Parkinson, a member of the Tasmanian Legislative Council. Mr Parkinson is the Deputy Government Leader and the member for Wellington. Please join me in welcoming our special guest.

Questions and comments?

**Mr George Smitherman (Toronto Centre-Rosedale):** I think this is one of those occasions when I stand about a piece of legislation that enjoys support from all parties in this House. I think it enjoys all-party support because it is something that can help us deliver on significant issues of justice for our constituents.

The member from Oak Ridges, whom I'm sometimes somewhat critical of but whom I respect nonetheless, I think made the case very, very well, that for members of provincial Parliament, we find ourselves very often in the case of trying to assist people who are often living in hardship to obtain the necessary support so their children can have what they require to be able to achieve success in our society.

I think this kind of legislation speaks to the extent to which all of these relationships can be complex, and negotiating these out with other jurisdictions is something that does take a little time. But it's the kind of commitment that good government delivers upon, and therefore I join with others in supporting this legislation.

1550

I would say that we should not too easily pat ourselves on the back for this kind of administrative function. The real test, with respect to whether we are delivering on our best intentions, with respect to those kids that I think in this issue I have sharply in focus, is not on the aggregate number of dollars that we collect but on our rate of success in percentage terms of those cases that we attempt to work on.

The office that collects this money from deadbeat dads can do a better job than it has so far. There are other members in this House who have a better record than mine in dealing with that. I'd like to encourage all members to continue to support that type of activity.

**Ms Shelley Martel (Nickel Belt):** The member from Oak Ridges mentioned that although things weren't great at the FRO, he believed there were considerable improvements to the system based on initiatives undertaken by his government. I just have to beg to disagree because the chaos that erupted in the fall of 1996 directly as a consequence of your government closing the regional offices, centralizing to an office in Downsview that wasn't ready and laying off 85% of the staff in a single day, is chaos from which the FRO has regrettably never recovered.

It's not just me who says that. I attended the Ombudsman's press conference this June when he released his annual report. He said to the media present: "The system was centralized in the mid-1990s and has struggled ever since." He's right. What I worry about in relation to the

bill you are bringing forward today is that until things get sorted out at the FRO, particularly with respect to an inadequate, antiquated computer system, you are never going to be able to do the job that you need to be doing on behalf of recipients.

The Ombudsman himself made that clear. His comments in this release were at least the fourth and perhaps the fifth time that an Ombudsman has said to this government, "You have to invest in a new computer system at the FRO because the current system is incapable of dealing with the new cases that are coming on, and the current computer system is causing undue stress to staff." Roberta Jamieson did at least three reports as Ombudsman focusing on problems, focusing on the computer system, and Clare Lewis has now twice, in two reports, talked about the same.

I know that last year the Ombudsman reported that the Attorney General had gone to Management Board for money for a submission to look at how to change the computer system. Money had been allocated, but he didn't think the study had been underway. Perhaps it is now. I encourage you, if you are going to do something, to deal at least with this very serious dilemma and help reduce the stress that staff are now feeling as a result.

**Mr Doug Galt (Minister without Portfolio):** First, my compliments to my good friend the member for Oak Ridges for just a brilliant presentation that he had here this afternoon before the Legislature. I thought he did exceptionally well talking about the Interjurisdictional Support Orders Act, laying out parts of it, how it is going to work and how it will be to the benefit of single parents and children. I see it as very beneficial.

Also, the support given to it by the member from Toronto Centre-Rosedale recognizes the importance of the bill the government is bringing forward. My compliments to him for being supportive and recognizing that it is a good bill and should proceed through the House quickly. I would think members of this House would be willing to give it unanimous approval—just let it go—but we will have the debate.

The debate and the bill are really about responsibility—a responsibility that most Ontarians take very seriously.

I was a little disappointed when I heard the member from Nickel Belt not speak on the bill but talk a lot about the Family Responsibility Office. What a disaster that office was in 1995 when we came to office, and what a turnaround. Something serious had to be done about it because if it had been left the way it was, it was just going to continue in that kind of disarray.

Yes, it was difficult to turn around. It was sort of like turning around the Queen Mary in Toronto harbour. There's not much room to manoeuvre, and it's very difficult once you get it going in a direction, but I am pleased that we have come as far as we have with the Family Responsibility Office.

With those comments, I compliment the member from Oak Ridges again on just an excellent presentation this afternoon.



**Mr Monte Kwinter (York Centre):** I want to rise in support of the initiative of the member from Oak Ridges in the Interjurisdictional Support Orders Act. I think it's a wonderful step forward in that there could be one-stop shopping to make sure you get into all the jurisdictions of the United States, including Samoa and offshore things of that kind. I think it's wonderful.

I have some concerns, not with the act but with the reality. The reality is that I'm sure all of us have had constituents come to see us and talk to us about how they have court orders but they're unenforceable. They have tried, and they're saying, "No matter what I do, I can't get it." I say, "Well, go back to the court." And they say, "I've been back to the court three times and it still hasn't helped. Notwithstanding that I have a court order, I cannot support my children. I can't do this."

My concern is that when this is announced, some people may get some hope that this is going to be great, that if whoever it is that has the obligation to provide support goes anywhere in the United States and its protectorates, they'll be able to enforce it. They don't seem to be able to enforce it right here in Ontario, so I don't hold up a great deal of hope—and they may get lucky—that something will happen.

That is my concern, and unfortunately I really don't have an answer as to how you'd do it. But I do know that it's a serious problem, and I've been around long enough to have had many, many of my constituents who've had problems come to me and tell me. Everybody means well, but the reality is that there are lots of people who should be paying support—they've got a court order against them—and they're not doing it. I don't know how we can resolve that by passing this act. As I say, I'm totally in support of it. I hope it really works. I hope it gives initiative and hope to people whose delinquent spouses have moved to another jurisdiction.

**The Deputy Speaker:** The member for Oak Ridges has up to two minutes to respond.

**Mr Klees:** I want to express my appreciation to the members for Nickel Belt, Toronto Centre-Rosedale and Northumberland as well as the member for York Centre.

First of all, I can't disagree with the member from Nickel Belt, who referred to some of the continuing problems in the FRO. In my remarks I didn't suggest it was a perfect system. What I did say was that there was some improvement. There has been. We still have a long way to go. I, for one, certainly have been encouraging our government to look closer at that and do what we can to make that system more efficient.

I also appreciate the comments the member from York Centre made about the process and, effectively, the court system we have in this province that makes it so easy to extend these legal proceedings. I get so frustrated when parents come to me and they've been to court two or three or four times and the case has been adjourned, and all the legal maneuvering that takes place.

This is certainly something I would like our Attorney General look at to see if there's anything at all that can be done to streamline that process and somehow cut through

the kind of maneuvering that takes place in our court system that frustrates. I agree: whatever system we put in place can frustrate what we're trying to do here too.

So there is much to be done. I think as we work together on this, as legislators, and agree to focus in on some of these issues, perhaps we can begin to resolve some of these root problems that we have. Having said that, I do believe this is a step in the right direction. I'm encouraged by the support from members of all parties. We trust that together we'll be able to do our part by passing this legislation.

**The Deputy Speaker:** The floor is open for further debate. The member for Hastings-Frontenac-Lennox and Addington.

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** Thank you, Speaker. It's been a while since we've been here in the Legislature, and it's a long name to remember.

I'm delighted to be here, certainly as the member from that great riding and also as the critic of the official opposition for Community, Family and Children's Services.

1600

Certainly this piece of legislation is going to have a significant impact for families, particularly children. That is the focus for me anyway, why I'm able to stand in the Legislature this afternoon and say I support Bill 131 and its intent to ensure that when children have a parent not living in this jurisdiction, in the province of Ontario, but in another jurisdiction, there is a means by which a parent is able to access support for those children. Sadly, I have had in my constituency office families who would come to the office or who would call the office and would say there is a serious problem because a particular parent has not only abandoned the responsibility to support the natural children, but has in fact left this jurisdiction, which only compounds any efforts that my office or any other authority might try to pursue to have that individual live up to the responsibility of looking after their children.

I am very happy to say today that we support Bill 131. However, I'm concerned as well because at the present time in Ontario we supposedly have a system in place called the Family Responsibility Office. It has the responsibility to ensure that when children are in situations where parents no longer reside together, support is provided for those children and those arrangements are made through the court system. The Family Responsibility Office has the role, the job, the responsibility of ensuring that the dollars of one parent get to a caregiver to ensure that the needs of the children are met. That's their responsibility.

The problem is that in many, many cases, that has not been happening. I have literally dozens and dozens of files in my office of people who call and who say they are not able to access what has been ordered to them by the courts of this province, and therefore they are not able to provide for themselves or their children.

Some of the situations that come to the office are really very disturbing. Because a non-custodial parent

who has been ordered to make a payment has not been doing so, it places that family unit with the children, the one that should receive those monies, in some cases in some very dangerous situations where they may not be able to continue to live in their place of residence. They might have to be evicted because they don't have the money to pay the rent because the person who has been ordered by the court to pay them hasn't done that. That, for me, is very upsetting, particularly given the fact that this is accommodation that includes accommodation for children. I have an assistant whose sole responsibility is dealing with these cases, and Diane does a remarkable job. I know I hear from many people who, sadly, have had occasion to call her. Diane immediately begins work on these cases.

I have here just some examples of her experiences in trying to assist people in my riding. There's one individual in Hastings county who wrote to my office in April 2000 and explained the particular situation, how an order was not being followed. Diane established her regular connection with the Family Responsibility Office, as she does, as every office of members of this Legislature does. Some 14 contacts later—and I think it's important for members of the public to understand. Because of the volume of calls that are received at the Family Responsibility Office, at least in the case of my office, Diane has sort of a weekly appointment with her person at FRO—we call the Family Responsibility Office "FRO." She has a weekly appointment with her contact at FRO where she goes over a list of cases.

So when I would suggest in this debate that after 14 contacts—that's after a number of weeks and even months of Diane calling the office and saying, "We need this information," or "This information has been provided," the office would call back and say, "We don't have it. We don't know where it is." Diane calls the client and they phone back and say, "Well, we sent it. We sent it registered mail." All those kinds of calls go back and forth. Some 14 contacts with this office in this first particular case required that it took one year and one month to resolve. We got the letter on April 20, 2000, and it wasn't resolved until May 31, 2001. That means that for one year and one month there was a family in this province that was not getting the monies they were entitled to. There were children who were not getting what they deserved, what had been ordered to them by the courts of this province. That, in my opinion, is totally unacceptable.

Another example in Hastings county: on April 9, 2001, an individual called my constituency office. Diane worked very, very hard to address the issues and the concerns. It was rather complex: 27 contacts with the Family Responsibility Office over the course of one year and five months. The first contact was in April 2001. It still isn't resolved. So there's a family in Hastings county that is entitled to receive monies from a non-custodial parent and it's not happening—for one year and five months. So that family has been made to survive, these children are made to do without money and therefore

resources in their family situation that they should have. I would suggest that has a significant impact on their health and well-being.

Another case in Hastings county came June 12 of this year. There have been 12 contacts; still unresolved. In Lennox and Addington county in February of this year: six contacts; still unresolved.

I outline these scenarios so that members of the public and hopefully members of the government will understand that the Family Responsibility Office is not meeting the needs of custodial parents in Ontario at the present time. I know the member for Northumberland made reference in his remarks to the disaster that the office they inherited was in. I can only offer that if that was the case then, and I can't say I know that, I would suggest to you it has not improved. You talk about turning a ship around. I think you've turned the ship into the Titanic, quite honestly.

#### *Interjection.*

**Mrs Dombrowsky:** I hear the member for Northumberland, who has some objection to the notion that maybe what is in place today isn't a disaster, but if we read what the Provincial Auditor says about the Family Responsibility Office, in 1999 the auditor indicated that there were approximately 128,000 of the 170,000 registered cases in arrears. So 75% of the cases in Ontario were in arrears. That was \$1.2 billion that should have been supporting families and children that wasn't being paid out. That is staggering and totally unacceptable and, in my opinion, the cause or the reason why we have to deal with some other problems and issues in our society. When folks don't have money to pay their rent, they can become homeless, or when folks don't get the money they need to support their families, they have to go to food banks.

We know that there are more people with jobs now using food banks than ever before. It's not just the homeless, it's not just the people on social assistance who are availing themselves of food banks now—people with jobs. The money these people make in their minimum-wage jobs maybe pays the rent. They're not getting the money from the non-custodial parent to assist them with the other expenses and they have to go to food banks, and that is unacceptable. That is totally unacceptable.

#### **1610**

So my question on this day when we debate a bill about the government's presentation that it would be appropriate—it's more than appropriate; it's the right thing to do—to make sure there is a mechanism in place, when custodial parents and children in this province happen to be part of a situation where the non-custodial parent is out of this jurisdiction: there has to be a mechanism to enable that family to access from that individual what they deserve, what they've been ordered through our judicial system.

I couldn't agree with that more, but I've just spent some time describing to you the problem the government has in even following through and making sure that when



parents who do live in this province are ordered and required to pay monies to support their children—they're not even able to do that. It's not just a matter of days or weeks or months. I have right here real names, real people, real cases in my riding where they're waiting years to get that support. That comes with some serious consequences.

It's totally unacceptable that helpless, defenceless children who count on adults to look after their better interests are not getting better and more consideration than they have up until now.

It's a great piece of legislation. It absolutely is necessary. But my challenge to the government is: let's clean up the Family Responsibility Office and the cases that are there now, and in addition to that, let's go after the non-custodial parents outside our jurisdiction.

Some people may say, "The Family Responsibility Office, what is the issue there? Is it bad management? What in fact is the case?" I think it's really quite obvious. It's a situation that I believe exists in many ministries. If you consider the report of the Environmental Commissioner today, we know the Ministry of the Environment does not have the resources to adequately execute its responsibilities. I would suggest as well that the Family Responsibility Office, with the important mandate it has, does not have sufficient resources, and when I say resources, I mean the human resources, the people to make this work well for the children of our province.

This government has been in power for seven years. This isn't anything new. This is something that has been going on for a number of years. We hear from people who have been caught in this system. It's not recent. You can't blame it on the fact that the computers are down; we hear that sometimes.

**Mr Dominic Agostino (Hamilton East):** Birth certificates.

**Mrs Dombrowsky:** Yes, technological problems. This is something that has been problematic for quite a long time and unfortunately it doesn't even get on the radar. How many throne speeches have we had? How many budgets have we had? We have families and children in this province who are going without, not for weeks, not for months, but for years, and it's not like they're going without handouts. They're going without what they are legitimately entitled to. I haven't heard any presentation in any of those official documents of the government, the throne speech or the budget, about how they intend to improve this sorry record.

I'm really concerned about the fact that while this is good legislation, it begs the question, are we going to compound the already overworked, overburdened resources of the Family Responsibility Office? Is it going to mean that the people who have been waiting for one year and one month, for one year and five months, for many months, are going to be waiting longer? Because the caseloads are going to go up. I don't see any component within the legislation that would suggest there are going to be the requisite resources attached to the legislation to ensure that as the caseload increases there are going to be

people there able to do the work and make sure that families and children in Ontario get what they deserve.

It's very difficult, when we know this legislation is important and necessary, to realize that probably when it's passed it's going to be impossible to execute what is in fact directed here, because there won't be the resources. And it's happening now at a pitiable rate.

I say to the members of the government, I think this is window-dressing. We're in an election year. It's going to be good to have a piece of legislation that would say you're supporting the needs of children, that you're going to make sure those deadbeat dads pay their bills. "We're going to make sure that when they don't live in Ontario, we're going to go after them." I say to the people of Ontario today, this government isn't doing that even with the deadbeats.

I want to go back. I'm sorry we can't unspeak words here, but it's not just deadbeat dads. That's unfair. I've tried to be very careful in my terminology when I talk about custodial and non-custodial parents. It's not just dads. There are moms too who find themselves in situations where they are required to pay support and there are situations in this province where they are not living up to their responsibility too.

But I know how the government's going to play this out in their election campaign when they can go out and say, "This is how tough we are on those folks who don't come through for our kids." Well, I suggest to the members of this government, you're not coming through for our kids; not when kids are waiting over a year to get what the court tells them they're entitled to have. It's a problem that hasn't just happened, it didn't just evolve; it's been there for as long as I've been in this office.

The day after I was elected, I went into my campaign office—I didn't have a constituency office—and one of the first calls I received was from a mom who was in tears because of this very issue. She was not getting the monies that she should have for her children. At that point in my life, I had not heard of the Family Responsibility Office, so it was sort of a baptism of fire. I very quickly had to understand what that meant, what it was and how it worked. Sadly, what I quickly came to understand was how it didn't work well at all, how it didn't work in 75% of the cases in 1999. I'm not sure that it's working so very well now.

In fact, again we go back to—the auditor noted that there should be more aggressive enforcement measures such as driver's licence or passport suspensions, bank account garnishments or a default hearing. They were very seldom pursued. These are all tools that the government could use, could exercise for children. It very seldom happens.

It's good legislation, it's necessary, it's needed. My challenge to the members of the government today is, make it happen, make it work. And don't make it work just for the interjurisdictional situations; make it work for the people who are not paying arrears who reside in Ontario. Make the waits of one year-plus and two years-plus go away for the children and the custodial parents

who are working so hard to meet the needs of their children and their families. That's my challenge to the government today.

We're prepared to support it. We'll do our part to get it on the books. Now you have the responsibility to make it work for the families and children in Ontario.

**The Deputy Speaker:** Members now have up to two minutes for questions or comments.

1620

**Mr Kormos:** I want to thank the five people across Ontario who are watching this on the legislative channel. I want to tell them there's an hour and a half at the most left and, friends, grab that clicker and change channels now because it ain't going to get any better. This place is like a mausoleum. There's nary a moving body here. The discourse has descended to sotto voce. The air hangs thick and as immobile as the bodies seated here. There isn't a heckle to be heard. Mr Kwinter continues to sit there, so I can't make a quorum call and at least ring bells for 15 minutes. I've been counting heads and Tories, and there are but 12 people sitting in the Legislative Assembly.

To boot, the government House leader serves notice of a time allocation motion, indicating that the government will forbid this bill going to committee, notwithstanding that there are a whole lot of folks out there—practitioners in the family bar, advocates for women and kids—who have had to work with FRO problems and access to the courts and access-to-counsel problems, who would want to make some comments about it and help make it a little better. Not only is this government blocking this bill from going to committee—it is; that's what a time allocation motion does, and the government is being incredibly obstructionist—but it's blocking the bill from receiving any third reading debate.

There you go, friends. The fix is in. The deal has been struck. The government doesn't care that the bill may well undergo some scrutiny and subsequent improvement. It doesn't care about improvement. Fluff. Mere puffery. What a sad, disappointing day yet again.

But the government will have to spend a day on the time allocation motion. We'll be pleased to debate that one, won't we, Speaker?

**The Deputy Speaker:** I thought it was quiet because of competent chairing, but there you go.

The member for Oak Ridges now has the floor.

**Mr Klees:** Likewise, Speaker, I was about to commend you for the order that you're keeping in this place. There is no heckling. Would that all of our sessions of debate were as quiet, as focused and as intense as this one.

I have to respond to the member from Hastings-Frontenac-Lennox and Addington. To this point, the tone of the debate around this bill has been extremely supportive and very focused on the objective we're trying to achieve. I'm disappointed at the cynicism I heard from the member in terms of the motivation, why the government is bringing this forward. I want to assure the member that she does not have a lock on compassion for

people in this province who have needs, and particularly children whose support orders are not being paid. I'd like to remind the member that those support orders are not being paid not because of something the government isn't doing; they are not being paid because some parent is irresponsible, and the role of government, to the best that they are able to do, is to try to at least enforce some of that.

I have always said that the Family Responsibility Office is inappropriately named. It should be named the lack of family responsibility office, because that's what is at the core of the problem. I can tell you that it's not a perfect system, as I've said before, but let's not use this as a political weapon to try to accuse the government of not caring for children who are not being looked after by their parents.

This is our response to it. Get with the program. Let's fix the problem.

**Mr Kwinter:** I want to respond to the comments of the member for Hastings-Frontenac-Lennox and Addington. As I said earlier, I'm totally supportive of this bill. I think the intent is good. I do have concerns about the reality of dealing with it.

At the present time, just like in the criminal section, where there are countries where there are no extradition treaties and criminals flee to those places if they think they have a safe haven, there are jurisdictions in the United States that have no interjurisdictional relationship with Ontario, and some delinquent parent might feel, "That's where I want to go because they can't get me." So this is a very positive thing from that point of view, in that a parent seeking to get support from an errant partner will not be confronted with an official in a particular jurisdiction in the United States saying, "Sorry, we don't have any jurisdiction over this. We have no relationship and there's nothing we can do about it. Sorry."

But I want to hark back to what I said earlier. The concern I have—and my colleague really talked about it and I'm sure all of us have had that experience. I've actually had delinquent parents come in to see me, really irate: "How dare anyone come after me to get this money? I'm going to declare bankruptcy. I'm going to do this and I'm going to do that." They have no shame in telling me that they're going to do this because they're upset that in a free society anyone would compel them to do anything. They seem to think this is totally acceptable.

It really is a dilemma. We have a serious problem here with people who live in Ontario, where at least they have a hope of engaging a lawyer or engaging somebody to try and get some sort of satisfaction.

This is a great step. It does address a certain problem. How practical it is, I don't know.

**The Deputy Speaker:** I see the chief government whip.

**Mr Galt:** I just enthusiastically wanted to respond to the member from Hastings-Frontenac-Lennox and Addington, looking after the riding where I grew up, and I did want to make some comments on her speech.

First, I'm a little nervous about this next comment I'm going to make because it's the first time ever in this



Legislature that I've really felt comfortable agreeing with the member from Niagara Centre when he described the House, what was going on in here and how quiet it was. All I can relate it to is that most of the members, if not all, are agreeing with this legislation. Maybe it's not too surprising that it's quiet in here today and things are going along very smoothly.

The member from Hastings-Frontenac-Lennox and Addington made some comments again about the Family Responsibility Office. To some extent, she's right: there's room for improvement. No question, there's a lot of room for improvement, but it's fortunate maybe for her and her staff that she wasn't around here in 1995-96, when we became the government and took over the problems that were in that office. It was phenomenal, Mr Speaker, and I'm sure you may have some recollection of some of the difficulties we had at that time.

As a government, I think we've been doing quite a bit for children and single parents, particularly things like 15 new child-friendly courts that have been brought in, a tremendous assistance to children with family disputes and helping children in that area.

She talked about suggesting different tools. Yes, there might be other kinds of tools you could look at, but I also wanted to comment on our government and what we've come through with for children. Ontario's Promise: I wanted to share with her that that involved a healthy start, an adult who cares, a safe place to learn and grow, the tools to succeed and the chance to make a difference. That's what the province of Ontario is doing for the children in this province now.

**The Deputy Speaker:** The member for Hastings-Frontenac-Lennox and Addington now has up to two minutes to respond.

**Mrs Dombrowsky:** It's good legislation. It's important and it's necessary because it will provide a tool that will ensure that children who require and deserve support from a non-custodial parent get it, even if that non-custodial parent doesn't live in Ontario.

Just responding to the comment made by the member from Oak Ridges to get with the program, that's what I tried to say to you folks there: get with the program. What you have in place right now isn't even working for the children who have non-custodial parents when they live in Ontario. Now you're going to introduce legislation that will enable you to go after non-custodial parents outside of the province. You can't handle what's there now, and I'm worried that the problems that folks in my riding and ridings across Ontario are going to encounter are going to be compounded.

I'm not suggesting who cares or doesn't care about children. All I'm saying is, if you look at the record, if you look at the priorities, if you look at what your throne speeches say, if you look at what your budgets have said, where they direct their resources, it hasn't been in this direction.

What I'm saying to you, members of the government, is that's what this needs. If you really want to help custodial parents and children who aren't getting what

they deserve, put some resources here to put the people in the field who can go after the people who are not paying their bills. That's what this is all about. I'm not suggesting the government pay the bills, but surely they have some responsibility to make people who have that responsibility do that. They can do that by withholding their driver's licence. I think that would be great. That very rarely happens. Get with the program and make sure that all children in Ontario get the money they deserve.

1630

**The Deputy Speaker:** The floor is now open for further debate.

**Mr Gill:** Thank you, Mr Speaker, and let me commend you. You are doing a wonderful job because there is no heckling. Hopefully that will still continue, with no heckling as I make my remarks.

**Mr Smitherman:** Why are you all teasing?

**Mr Gill:** There he is. It starts already. He didn't listen to my request.

It is a pleasure to take part in the debate on Bill 131, the Interjurisdictional Support Orders Act, 2002, An Act to facilitate the making, recognition and variation of interjurisdictional support orders. I know it's a mouthful but it's a very important bill, as we have heard from members from all sides. It's an important bill and I'm sure everyone will be getting together in terms of speedy approval of this bill because it's so needed, especially for single parents and especially for the children.

It is terrible. I just can't understand how some parents would deny access to the much-needed services and funds for their own children. This is beyond belief, but I know there are problems and in the FRO, and as the member said, the government is working hard to make sure people do get access.

I want to thank our hard-working Attorney General, David Young, who brought this bill forward. Yes, it's long overdue, but nonetheless it's a step in the right direction. Society has an important duty to do everything it can, Mr Speaker, as you know—I know you agree with me—to protect children and ensure they have the best future possible. This government takes that duty very seriously. That is why we have introduced this legislation.

If passed—it seems like it will be because I hear all parties saying yes to it; the intent is right and they are supporting the bill, but it's not passed yet so I must say that “if passed”—the Interjurisdictional Support Orders Act would simplify and streamline existing processes, making it easier and less costly for Ontario families and children to obtain support from people who live outside the province.

This also seems like a red-tape reduction bill, if you want to call it that. It appears to be that way. Let me remind viewers as well as the members who have maybe not visited the conference currently going on that today is the second day of the conference in Toronto, Red Tape to Smart Tape. I encourage people to go in and see how to reduce—as you know, this government has reduced red tape in over 1,900 different bills. I'm very happy to be, as

you know, a member of the Red Tape Commission. Its work is very much needed so that businesses, companies and even people, including students, don't have to go through too much red tape as they access the services they very much need.

These changes will also affect spousal support. It is our belief that no child should ever go without support simply because one parent has left the province. I know some people will say, "What about the people who not only leave the country to go to the US, but leave the country to go to different countries?" I think that's where the federal government's responsibility comes in. I encourage the federal government. As we become more and more global in where people travel to and live and where people have come from, it is important for us to make sure that the arm of the law is far-reaching and that those countries are also included at some point in time. I urge the federal government to perhaps have some kind of bilateral agreements.

Recently—it was about a year ago now, in August 2001—at the annual Premiers' conference, provincial leaders all agreed and made it clear that they also share the same belief. The Premiers committed to introducing effective reciprocal family support orders legislation in all provinces and territories. This summer, Premier Ernie Eves reiterated his commitment to this legislation at the annual Premiers' conference in Halifax. A number of provinces—I know Manitoba is one of them—have already moved forward on this issue. Alberta, British Columbia, Manitoba—as I said already—Saskatchewan, New Brunswick, Nova Scotia and Yukon have all passed similar legislation. So as I said, this is long overdue. It is now time for Ontario to move forward as well.

That is why I'm urging all members of this House to support it. I might be repeating myself, but just to reiterate, I think everybody is in agreement. I think the member opposite just nodded his head. I think he's quite enthusiastic to support this.

Our proposed legislation would affect thousands of families and children. As you know, being the father of two children—one of them just started university at McMaster in Hamilton, by the way, Mr Speaker, in part of your riding, I suppose, and I'm very pleased. I think the opportunity should be given to all children to be the best they can be.

I just don't like and don't agree with parents—and I will not single out just dads, as the Liberals were saying; I would say parents—who are not responsible toward their own children. They must do so.

At any given time, there are over 7,000 Ontario support orders being enforced in other jurisdictions. In addition, Ontario enforces over 5,000 support orders from other jurisdictions. It is clear from these numbers that we live in a world that is increasingly on the move. Our laws must recognize and reflect that reality.

If passed, this bill would recognize the challenges of a mobile population by allowing for greater co-operation between provinces, territories and countries. With this

proposed legislation, we would modernize family law to keep up with increased global mobility.

As I stated earlier, this proposed legislation would make it easier and less costly for families to register, establish and vary support orders where one of the parties lives outside Ontario.

This bill, if passed, would streamline and update existing processes by replacing the Reciprocal Enforcement of Support Orders Act, which is the current legislation in place in Ontario. For example, under the new legislation, the current complex two-stage hearing process would be replaced by a single-hearing process.

With a single-hearing process, someone wishing to establish or vary a support order would simply complete an application package, which would be sent to the receiving jurisdiction for a support determination. This means that a hearing would only be held in the receiving jurisdiction. It would no longer be necessary for the court in the originating jurisdiction to hold a provisional hearing, which currently is the case—once again, a case of less red tape, streamlining the process.

The proposed legislation would also help the courts determine which jurisdiction's laws apply. It would provide guidance to Ontario courts in determining whether the laws of Ontario or those of another jurisdiction apply to a particular case. This bill, if passed, would ensure a child-focused test in determining which jurisdiction's laws apply to child support.

Another important element of this proposed legislation is that it would give automatic recognition to orders from other Canadian provinces and territories. An order from another Canadian province or territory would be registered in Ontario and would be automatically enforced. Parties would no longer have the right, as they do now, to apply to set aside registration of an order from another Canadian province or territory. Anyone objecting would be required to address their concerns in the province that made the order.

**1640**

As I mentioned earlier, this proposed legislation would replace the Reciprocal Enforcement of Support Orders Act, which currently governs support cases where one party lives outside Ontario. Under the current legislation, Ontario has arrangements with all the other provinces and many other countries to register, establish and vary support orders when the parties are living in different jurisdictions. Earlier this year, our government and the United States federal government established an arrangement which allows Ontario and the US to enforce family support orders for each other's residents. Ontario had arrangements previously with only 40 US states, but this new federal-level arrangement captures the additional states and the US protectorates of the District of Columbia, American Samoa, Guam, Puerto Rico and the US Virgin Islands—everywhere the US has control. So this law would be far-reaching.

This arrangement also makes it easier to improve enforcement co-operation with the US because Ontario can deal with one federal agency instead of 50 state agencies.



I would like to stress that all existing reciprocity arrangements would continue under the proposed legislation.

Ontario is doing its part to help children and families obtain or vary support orders in the most streamlined and least costly manner possible. The legislation being debated today is further proof of our government's commitment to children. We are committed to ensuring the well-being of every child in Ontario. We are committed to ensuring that all of our children have a chance at a better future.

**The Deputy Speaker:** Members now have up to two minutes for questions and comments.

**Mr Mike Colle (Eglinton-Lawrence):** Just listening to the member for Bramalea-Gore-Malton-Springdale talking about children and families—certainly in my riding of Eglinton-Lawrence one of the most serious impacts on our children and families is housing and the lack of it. There's basically no affordable housing left since this government walked away from affordable housing. Although there are no tent cities in Eglinton-Lawrence, there are many people living on the margin in basements, in near-garages, because they cannot afford the high rents because of rent controls being taken off. They certainly can't afford to buy homes in Toronto, which are basically out of reach of most working families.

Also, the other thing affecting our children in Eglinton-Lawrence is certainly our schools. This government has ravaged our public school system to the point where we don't have caretakers to clean our schools; we don't have books. These are some of the finest schools in North America. Schools like Allenby, John Ross Robertson and John Wanless are fabulous schools that have taken two generations of hard work to create. Yet this government has underfunded and defunded them, destabilized them so that our children and our families in Eglinton-Lawrence and throughout the city of Toronto have been hurt, and hurt badly, by this government, which basically talks about doing things for children when there is such vivid proof in every school in Toronto that they are harming and hurting children by their reckless so-called education policy.

**Mr Michael Prue (Beaches-East York):** I rise to my feet, but it is somewhat difficult. I'm on day four of the welfare diet. I've asked the members opposite to join me on this welfare diet. If you think that you can survive for eight days on \$12.05, you will start to see that your mind gets a little clouded. I actually thought for a minute there that some of the comments made by the speaker—not you, Mr Speaker, but by the previous speaker—made some sense. That caused my addled brain to wonder, but I quickly cleared my head. There was one comment he made: he could not understand why parents would not support their children. For all of us, that's probably a very good question, but the answer is that the root cause of most families breaking up is financial. It is financial because they simply cannot make ends meet with the tools they are given. They cannot make ends meet for themselves and for their families, and invariably one of

the partners walks away. Most often that is the male partner, but not exclusively. They walk away because of the breakup and because they don't have sufficient money and because of the poverty that oftentimes brings upon them in the circumstances in which they live.

Your government has played a role in some of that. The previous commenter commented about schools, but I think the most important thing is the lack of a housing policy, the lack of a clear and consistent welfare policy, the lack of a clear commitment for those on ODSP to get any kind of raise, forcing them in the end to be on a welfare diet for all times—not just for eight days like me but for all times—with the despair and the loneliness that causes. That's what causes families to break up. It's all well and good to make the deserting partner pay, and we agree with him or her paying. But it's more important to make sure those people do not break up their families, so that the kids have stable homes.

**Hon David Young (Attorney General, minister responsible for native affairs):** Indeed, I wanted to rise and comment upon the speech that was given a short while ago. I thank the member for his insightful comments. He clearly understands that this legislation is going to do a lot of good. There are literally thousands of families throughout Canada who will benefit as a result of this legislation and as a result of the reciprocal legislation that is being passed in every other province. This is an example of representatives from different parties and different regions coming forward and working together to make a difference. I thank the members opposite for their support. I'm very proud to have tabled this bill.

I do want to comment briefly, if I may, on the last speaker's remarks. I will certainly acknowledge that when there are financial stresses upon families, it can be difficult. Probably on occasion it does lead to the separation and in some instances ultimately the divorce of parents. But of course there are other reasons. It is a complicated, complex, long-standing issue. Divorce isn't new and it isn't restricted to the affluent or those who are less fortunate in society. It is something that is pervasive and it is something that we as legislators must do our best to help address the consequences of.

That's what we're here to do today. Particularly where there are young people involved, it's very important that we use every resource available to expedite payment of maintenance and support so that those young people get the money when it is due to them. It makes a real difference in their lives during the formative years. I'm very pleased to hear the supportive debate that has taken place to date and I look forward to the remainder of it.

**Mr Bryant:** I am pleased to follow on our side of the House the member for Eglinton-Lawrence. In our constituency too, St Paul's, I'm shocked, although no longer surprised, at the number of families who turn to their MPPs for assistance because of a deadbeat dad or a deadbeat spouse not paying their support payments. I think the public is increasingly becoming aware of this, but they too would be astounded at the number of people.

I'm encouraged to hear from the Attorney General of the thousands of injustices in this province that ought to

be remedied by this new legal tool, if you like. We of course need to ensure that not only is a court order enforceable in this province but that it is in effect enforced, and that is the job of the Family Responsibility Office, in part. We are supporting this bill in very large part because I know that all three parties find it just unacceptable that it has become so acceptable to so many citizens of this province and across this country that they not follow a court order and pay the support owing.

Now, it is not any legislator's fault or any government's fault that they do not do that. It is up to the government, and we're trying to pursue this today with this bill from the Attorney General, to ensure that in fact this right to support, enshrined in a court order, is provided a remedy. That's the purpose of this bill: the tool that will provide that. Thus, the support from this side of the House.

1650

**The Deputy Speaker:** The member for Bramalea-Gore-Malton-Springdale now has up to two minutes to respond.

**Mr Gill:** I thank the members who took an active part in response to the few words I spoke earlier, especially the members from Eglinton-Lawrence, Beaches-Woodbine, the Attorney General, who spoke on that as well, and the member from St Paul's. I appreciate some of the comments they made, especially the member from Eglinton-Lawrence, who in a way went on a tangent and talked about education and the lack of schools.

I am very pleased to say that yesterday I was at not the groundbreaking ceremony but actually the start of the construction ceremony for the new hospital that is coming up in my riding. It's the biggest community-based hospital in Canada.

At the same time, I'm pleased to say that several new schools—not one but several—are being opened up in the great riding of Bramalea-Gore-Malton-Springdale. I do have concerns about education in terms of not enough classrooms and the portables coming in. I say we should be building for future expansion, because we know communities are increasing. So the school boards should be a little bit more aware of the needs of the people.

The member from Beaches-Woodbine talked about financial reasons, and I happen to agree with him. It is the financial reasons, many times, that cause this kind of problem. At the same time, we should not forget that this government was able to help bring about one million additional jobs. So I'm very happy to report that more and more people are working. That is a different kind of problem, because there's a gridlock problem. I know the Minister of Transportation is working very hard to make sure that Highway 410, which runs through my riding, is expanded quickly. It's much-needed.

I want to thank all the members who took part in the debate.

**The Deputy Speaker:** The floor is now open for further debate.

**Mr Dwight Duncan (Windsor-St Clair):** I'm pleased to join the debate on Bill 131, the Interjurisdictional

Support Orders Act. Let me begin by saying I will vote in favour of this legislation, as will my colleagues. It's legislation that I believe has been well written. It is legislation that I believe is long overdue. I regret that it's taken the government this long to bring it forward.

I'd like to speak about the bill in the context not only of what happens interjurisdictionally—because I suspect in my riding, probably more than in many ridings, we run into situations where payers go, as we say in Windsor, "across the river." Many times, in many broken families, the payer winds up in the United States, whether it's in the state of Michigan or elsewhere, and many times it's very difficult to enforce collection, to enforce the payment not only of arrears but ongoing payment for those who go across the border to the United States or even further afield. So we believe this is long overdue.

The government has brought this bill forward in the context of the whole situation at the Family Responsibility Office. I'm delighted that the Attorney General is here to listen to this debate. I think it shows a degree of integrity and commitment on the part of the minister to be here to hear the debate. I'd say to him with respect today, that office is in a mess and it has been since the government removed what I think they used to call the support and custody orders enforcement office. The acronym was SCOPE when I was first elected in 1995.

At that time we had one of those offices in Windsor and I probably got one call every two or three months with respect to the enforcement of payment orders and so on. We were able to resolve issues very quickly when they came about because of that. Well, the government of the day—this government—decided to change that. They centralized everything and got rid of the regional offices, ostensibly to save money and to provide more effective or efficient or better collection. I say, with respect to the government, it hasn't worked.

Now, like most members, I think that FRO inquiries, problems and complaints are probably the largest volume of cases I have in my office. Probably we get 30 to 40 cases a month. I don't want to say new cases, because I'm not sure, but certainly the number of discrete cases is far and away the largest, certainly in an area of exclusive provincial jurisdiction. We do get a lot of welfare calls in my office. I have an urban riding where we run into problems at the first of the month. But far and away this is the most problematic, if you will, and the one I hear about the most from my constituents on a monthly and a daily basis. It's unfortunate, because some of them could be very easily resolved, except I don't believe the government has allocated enough resources to the proper execution of the functions this office has been given responsibility for.

I would advocate and say to the Attorney General and to the government that, given the nature of this particular function, this particular beast, if you will, the concept of regional offices, when they were established, was and remains, in my view, something the government should look at again, rethink and decentralize those functions, if you will. The old system worked well. Like any system, it could have been improved, I'm sure.



The government was proper, as any government is, to review programs, to study, to make sure the taxpayer is getting the most bang for the buck from any particular function of government. But I would submit to this government that the old system was more efficient, provided more bang for the buck and, most importantly, protected those spouses who require the support payments to be on time in order to feed their children and provide for their families, those custodial parents who are reliant on payment from a spouse who no longer is in the marriage. That's my first point; that is, the government ought to look at this whole office and how it functions or, I should say more properly, how it isn't functioning well.

What's ironic in many cases in my office, Mr Speaker, and I don't know if it's the same in yours, is that I often hear from payers. The money is getting deducted from their paycheques, it's going to the FRO, but it's not making it to the spouse who's collecting. It's astounding that this could go on.

Try to get through to that office. Oftentimes when my constituents call, they call me out of frustration. They have tried and tried to get through to the Family Responsibility Office and they're not able to. The former Attorney General—I believe it was Mr Harnick—set up a special hotline system for MPPs. I say to the Attorney General, when you go back to the office tonight—I know you'll work late, as you often do; you have very onerous responsibilities—get briefed on that issue, because even members can't get through now.

**Hon Mr Young:** It's over at COMSOC now.

**Mr Duncan:** It's over at COMSOC now? I apologize. But I'm glad you're here anyway. You'll relay it to her. Talk about this at the cabinet table, I urge you in the strongest possible terms. That function is so important, I say to the minister and to the Attorney General, this notion of being able to answer problems. Now our office finds that they wait for long periods of time to get a response.

I think the government was genuine in its desire to make supporting spouses pay and support their families. I believe the government was genuine in that. I believed it at the time. We, as parliamentarians, can debate which method, which system is most effective. I urge the government today to have another look at this because, again—and I'm only one of 103 members of this assembly—in my experience as an MPP over the last six years since this system has been in place, I can't think of any front-line government office that works less efficiently and doesn't provide the service I think this government intended it to provide. So, in my view, you need to look at all of that.

1700

We had agreements in the past with 40 out of 50 states, as I understand it, and that caused problems in terms of enforcement. This new legislation will permit, not only with the United States but with other countries, reciprocal arrangements that will work better in the interests of all broken families where the parent no longer lives in Canada or in Ontario.

I think it's important to make a couple of other remarks in the time I have, to talk about what the main function of this office is. I've talked to you about the frustration individuals experience in terms of their own relationship with this office, but I'd like to spend a few minutes now looking at whether the government has been effective in reducing the amount of payments that are in arrears.

I think the answer, unfortunately, is that they have not. They have not had the success, I believe, that they wanted to have. The most recent statistics we have unfortunately, I believe, go back to 1999. The Provincial Auditor indicated that the FRO had 170,000 registered cases and almost 128,000 were in arrears. That's an astounding number: 75%. Given the government's objective in 1996 of reducing that number, I think it's clear they haven't achieved that objective. This bill, while important, doesn't begin to address that very fundamental question.

I would ask the government to rethink what they've done. When any responsible government of any political stripe takes a policy initiative, whether it be to save money or to provide more efficient service or better service, it needs to review. I know that members in this government have talked about sunset legislation and programs. I think periodic program review is extremely important. My cursory review of what has gone on here admittedly can only be based on probably 400 or 500 cases a year in my riding, which may or may not be an indicative sample of what's going on everywhere. As I listen to the debate, I hear other members are experiencing the same kinds of volumes and the same kinds of issues. I say to the government that now is the time to make corrections to the FRO.

I would urge, from my perspective, number one, that we go back to a system of regional offices, and number two, you need more staffing.

I stress that I believe the government was well-intentioned when they brought about the changes they did. We were very concerned at the time about what they were doing and how they were doing it, but I'll give them the benefit of the doubt on intention.

We spoke against the changes they made. I remember that when it was announced, in my community, myself, my colleague from Windsor West, Sandra Pupatello, and my colleague from Essex, Bruce Crozier, spoke at the time against that. We felt it was a mistake to close the regional offices, given the nature of what those offices did. In fact, it was the Peterson Liberal government that opened that office and a number of the other offices around the province. It was done in response to what we felt was the importance of local delivery of this particular service, and it is a service, a sad service admittedly, one that we wish we didn't have to deliver. But that is the reality of our modern society and it's a reality that isn't going away.

The most recent statistic we have for arrears outstanding is \$1.2 billion, which is an astounding amount of money, given the bar that this government set for

itself. This was the government—I remember Mr Harnick and others on the other side at the time saying, “We want to reduce the arrears. We want to eliminate the arrears.” Noble goals, but the challenge comes down to not just what your goals are, but how you propose to set about achieving them. The government ignored the advice of the official opposition at the time. I know it ignored the advice of many of its own backbenchers. Those members, like members on this side of the House, hear about these issues all of the time. So we welcome this particular legislation.

It’s unfortunate that we are not going to have committee hearings on it. The opposition has requested them; the government has denied them. My colleague from Welland, Mr Kormos, I know has a number of amendments. My colleague Mr Bryant I know has suggested some amendments. We would have enjoyed the opportunity to place those amendments to this bill and have a more detailed discussion of the legislation; also, importantly, to allow practitioners in the area of family law to have some say in this legislation. The government’s decision to jam this through without any committee hearings is unfortunate.

This is the type of legislation, in my view, that lends itself to public hearings. It should have the input of people in the field, whether they are family law lawyers, whether they are people involved in the collection of arrears. Those individuals should have the opportunity to have some input into this legislation, to criticize the parts they think may not work well and indeed to tell the government where they think they are doing it right. Overall, we believe they are doing it right in this bill. It doesn’t take away from the principle.

Unfortunately, this government, over the years, has had a predilection toward not having committee hearings, to jamming things through. Just this afternoon I was served with notice of motion that this bill will be time-allocated; that is, close debate. What they wind up having to do is they have to go back and fix the legislation down the road. That’s unfortunate.

I would again urge the government to reconsider their decision. The request of the opposition was that we have the normal three days of second reading debate on this bill and that it then go to committee for three days of committee hearings. The government was prepared to go to committee, but only if we gave up second reading debate time, which really doesn’t give the opposition enough time so that members who want to address it—indeed I wouldn’t have had the opportunity to address this bill were it not for this extra day of hearings.

So I urge the government to send this bill to committee. Let’s hear from some family law experts. Let’s have a further discussion about not only interjurisdictional issues but the role of the Family Responsibility Office and how it is performing its role, whether it’s performing it well or not. Don’t rely on my evidence. Constituents of mine, if there were hearings in Windsor, I know would love to go out and tell the government about their frustration with this office.

Employers who are judiciously fulfilling their obligations in terms of garnishment of wages and so forth, finding out that those wages aren’t making it to the families of the payers—it’s a very unfortunate set of circumstances, one that could have been avoided and one that I say to the government can be fixed at relatively low cost to the government. It would probably save money overall because, just thinking about myself, the amount of staff time my office puts into it, the amount of systems the government has had to put into place at the Family Responsibility Office, I have to believe there is a better way to do it than we have right now.

In conclusion, I support the bill. I believe this effort will lead to more collection from payers who have left the country, whether to go to the United States or to some other foreign shore. I believe that the House should pass this. I think that public hearings on this bill would be important in order to hear from experts in the field.

Moreover, I urge the government to look at the Family Responsibility Office in its entirety. This government made a set of decisions when it first came to office. I believe that they were well intended. I believe, and will say to the government, you wanted a higher rate of collection. It hasn’t happened. You closed regional offices, which made it more difficult for constituents, individuals, whether in my riding or any other parts of the province where offices were closed, to access this service and to get the kind of service that they need.

1710

I urge you, as we wrap up debate on this bill, to look at that whole situation. If the minister wants, I’d be more than happy to provide her with the names of literally thousands of my constituents who have had to live with the Family Responsibility Office as it is.

I say to the government, set a new goal. Let us commit, as a Legislature, that we will reduce the number of cases in arrears from 75%. Imagine that: three out of four cases that are dealt with by the Family Responsibility Office are in arrears. Surely to goodness we can do better than that. Surely we can serve those children who need this service, those spouses who need this service, better. Let us undertake that we will redress that \$1.2 billion in outstanding arrears. Let’s undertake, as a Legislature, to get that amount down. It is not enough to pat ourselves on the back over this if we’re not getting at the real issues involved in support and custody enforcement.

This bill is a step forward. It’s one that I will vote in favour of, but it can only be considered in the context of all of the difficulties of the Family Responsibility Office, and on a more personal level, to those constituents of mine who have been wronged or cannot collect. Indeed, I have situations where the paying spouse faithfully makes their payments on time. They may be garnisheed, they may be made on time, but they don’t get to the spouse who is collecting or to the children.

Surely we, as a Legislature, can look at this responsibly and acknowledge that there have been problems and address those problems in a meaningful fashion that will



provide better service for our constituents, will provide a better quality of life for those people who rely on the FRO to collect and will allow us, as parliamentarians, to have a full discussion on all these issues. This issue is important to hundreds of my constituents who have gone through these hoops.

I urge the government, as we pass this bill, to look at the broader picture surrounding Bill 131, and that is the condition of the Family Responsibility Office.

**The Deputy Speaker:** It's now time for questions or comments. Members have up to two minutes.

**Mr Kormos:** You've been hearing it again and again and again over a very short period of time—literally but a handful of hours that the government is allowing for this debate—that all the support or maintenance orders in the world, piled this high, coming out of your yin-yang, still ain't going to result in any money in the pockets of moms and their kids if they can't be enforced.

This government has demonstrated a consistent and persistent inability and lack of capacity to ensure that support and maintenance orders are enforced. It all comes down to 1996 and their collapse of regional family responsibility offices and family support plan offices. That discussion is integral to the debate around Bill 131.

You've also heard opposition members from both parties saying they support the bill. Let's understand. The bill doesn't create any new rights. We've had reciprocal enforcement of maintenance orders in this province for over half a century. It fine-tunes it; that's acknowledged. It harmonizes it, we're told, with other jurisdictions. That's acknowledged. Surely to goodness this government feels some responsibility to 11 million Ontarians who will now endure yet another regime of reciprocal enforcement and maintenance orders. To that end, put it before committee so that the bill can be scrutinized, can be commented upon and amended where amendments are warranted, because this isn't going to be revisited for another decade, easy. Government, if you're going to do it, for Pete's sake do it right. Send it to committee for a few days. The bill's been around since November of last year. You never bothered calling it in the fall of 2001 so it could go to committee during the break, did you? You guys are asleep at the switch. You couldn't organize a drunk-up in a brewery.

**Hon Mr Young:** But nobody has bothered writing.

**The Deputy Speaker:** Order, the Attorney General.

**Hon Mr Young:** Sorry, sir. I apologize.

**Mr John O'Toole (Durham):** It's my pleasure to respond to the member from Windsor-St Clair. I can assure him as well that our office spends a great deal of time trying to help individuals and families resolve this issue. In fact, the reason this government moved on it in the first place was because the collection rate when we were elected in 1995 was such that it was clear some changes had to occur.

But I look at things in a very practical sense, perhaps. At the end of all this, I see the family under a certain amount of siege today on many fronts and for many different reasons and different agendas. But even more

importantly, the children, at the end of the process, are the ones who lose.

You have to recognize today as well that society and families are very mobile, which really gives cause to the whole issue of interjurisdictional support orders. I know our Premier spoke at the first ministers' conference in Victoria, I believe it was last year, and he raised that. He urged Ottawa to have parallel legislation by amending the federal Divorce Act by the summer of 2002. The federal government, by the way, has yet to move on that.

This of course would change the process and establish support orders under federal rather than provincial law. Clearly, it's important here that governments should learn to work together.

This legislation does go a long way to establishing a clearer process. What it does, for example, is end the old two-stage process that Mr Kormos spoke of, where the area that would have to issue an order would be the reciprocating jurisdiction—it would have to comply with the support order as it would stand in their jurisdiction.

I commend our Attorney General for bringing this important and timely legislation forward. It's clear you could debate this for 100 years, but remember the children and families whom we are really, at the end of the day, trying to support.

**Mr Gerry Phillips (Scarborough-Agincourt):** I'm pleased to comment on the comments by the member for Windsor-St Clair and would start by saying that I don't think there's anybody in the Legislature who understands, on a day-to-day basis, the relationship between Ontario and the US as well as the member for Windsor-St Clair. He lives it on a daily basis. Being the member for Windsor, he certainly, in our caucus, is able to articulate the enormously close relationship. He talks often about the number of Windsorites who cross the border daily to work, and talks about the trade. I think Ontarians recognize that Ontario is the most export-oriented jurisdiction in the world. Nobody exports a larger percentage of the gross domestic product than Ontario. It used to be about 29% of our gross domestic product. It's 55% today, 95% of that to the US, and heavily through Windsor. In fact, it's the largest trading jurisdiction in the world. There's no place in the world that sees as much daily trade go on as between Windsor and Detroit.

I listen carefully to our member for Windsor-St Clair when he talks about the need to establish mechanisms that are future-oriented. This is one of them. This is something we need to deal with. In a society such as Ontario where we are now a global trader—dare I say mainly with the US?—where people will work here in Ontario and work in the US and then back again, we need these sorts of mechanisms. As I say, our member for Windsor-St Clair knows this, in my judgment, better than anyone and I think articulated well the need for this legislation to proceed perhaps more quickly than it has.

**Hon Mr Galt:** I appreciated the comments that the member from Windsor-St Clair was making, some very thoughtful ideas there, and also the member from

Scarborough-Agincourt recognizing the member from Windsor in understanding some of the cross-border issues. I'm sure both of them are quite enthused about some of the announcements yesterday that will be happening into the future at Windsor with international trade and exports from Ontario. It was great to hear the member from Scarborough-Agincourt recognizing the economic boom that's occurring in Ontario, the exports and that kind of financial activity that's going on. It's been so refreshing. Since 1995 almost a million net new jobs have been created in the province of Ontario.

1720

But getting back to some of the comments that the member for Windsor-St Clair was making, I'm sure he appreciates it's not easy sometimes to follow some of the so-called deadbeat parents who are not supporting their children as they should be, and that's basically what this bill is about. It's about responsibility, as he was, I believe, pointing out in his comments, recognizing those responsibilities, regardless of whether that parent who is not supporting lives in Ontario or lives abroad, whether it be in the US or other provinces or wherever. The child and spouse are still theirs and they have that responsibility. We, as a government, take responsibility very, very seriously, and consequently this piece of legislation is being brought forward for consideration by the Legislature.

I'm sure that all parties, when it comes time to vote, will enthusiastically support this piece of legislation, the Interjurisdictional Support Orders Act.

**The Deputy Speaker:** The member for Windsor-St Clair has up to two minutes to respond.

**Mr Duncan:** I thank the members for Welland-Thorold, Durham, Northumberland and Scarborough-Agincourt for responding. It's good to see that we agree on this bill. That was the very first thing I said: that this bill is worthy of passage.

But I say to the government members, the reality of the Family Responsibility Office is they are not collecting as well as they used to. Don't take my word for it; take it from the Provincial Auditor. In a spirit of co-operation, I've tried to suggest to you that I believe that when you made the changes you did so with good intention. We've now had them for six years. Program review has to be an essential component of how we govern ourselves if we really want to make sure that we're doing things properly and efficiently, not only in terms of the cost of providing a service but in terms of the quality of the service we provide.

I think every member of this House knows full well, based on the calls to their offices alone, that too many moms, too many children aren't getting the money that's intended for them. To suggest somehow that this is a problem because the federal government hasn't done something or to look at it in any other way than what you did in 1996, which was to close the regional offices, centralize the processing, is really to miss the essence of what I said.

I say again, this bill is supportable, but deal with the real problem, a problem that you created in 1996 when you closed the regional offices, consolidated the service to one central location and didn't staff it properly. The numbers are clear: too many moms, too many kids aren't getting the support that's due to them. Your efforts have failed so far, and I urge you to deal with the real question that goes well beyond what's contained in this legislation.

**The Deputy Speaker:** The floor is open for further debate.

**Hon Mr Galt:** I'm enthusiastic to respond and speak to this particular piece of legislation, the Interjurisdictional Support Orders Act. This is a bill that's about failure to pay child and spousal support. We know that this is indeed a social problem that extends far beyond Ontario's boundaries, particularly in this era of transportation. It's nothing to be aboard a plane and in 24 hours be on the other side of the world. It's a problem that really affects all of our provinces and all countries.

It's a problem that causes many people—most of them women and children, but not all—economic and emotional hardship. It's a problem that affects taxpayers. That's because when support is not paid, many single parents end up seeking social assistance for their families. It's very understandable.

As I mentioned earlier in some of the responses, I see this bill is about responsibility and parents taking that responsibility. Whether they're together as a united family or whether they're split, it's still their responsibility. But most importantly, the failure to pay child and spousal support is a problem that affects children.

I don't think there's been a government more supportive in investing more into children's services than our government has since 1995.

**Mr Kormos:** On a point of order, Speaker: I don't believe we have a quorum, sir.

**The Deputy Speaker:** Would the table check for a quorum, please.

**Clerk Assistant (Ms Deborah Deller):** A quorum is not present, Speaker.

**The Deputy Speaker:** Call in the members. This will be up to a five-minute bell.

*The Deputy Speaker ordered the bells rung.*

**Clerk Assistant:** A quorum is now present, Speaker.

**The Deputy Speaker:** A quorum now being present, the chief government whip may continue his remarks.

I recognize that in addition to making the speech, you were the one who had to round up the members. As the member takes his place, he may resume his remarks.

**Hon Mr Galt:** Thanks very much, Speaker, for being understanding there. I was kind of running two roles at once.

As I was so rudely interrupted here, and to get on with my speech, I wanted to comment on how they don't have the money needed to provide them with nutritious meals—we're referring to these children, of course—warm clothing and sometimes even a place to sleep.



We believe that no child should ever go without simply because one parent has left the province. This legislation, if passed, would make it easier and less costly for families to register, establish and vary support orders when parents live in different jurisdictions. Among other things, the proposed act would streamline the process by replacing the current complex, two-stage hearing process with a single hearing process.

**Mr Kormos:** Explain that to us. Explain the two-stage process.

**Hon Mr Galt:** I'm sure the member for Niagara Centre would appreciate that. We believe that children and families who rely on receiving support payments should receive every cent that they're entitled to. These measures and the proposed legislation are a further example of our government's commitment to ensuring the safety and well-being of children and families.

I was mentioning earlier the commitment our government has made to children and how it's been demonstrated. It's been demonstrated to families as we've brought in the friendly family courts. Our government has been very clear about its commitment, in particular, to child protection. Since 1995 we have made significant improvements to child protection systems. Our government has increased funding by 139% for child welfare and by more than 39% for children's mental health agencies. In addition, we've introduced a new approach for funding that better reflects the workload and services needs of children's aid societies.

Mr Speaker, you'll remember the bill we put through for the children's aid societies. It was very enthusiastically received, not only by this House, but by the children's aid societies right across Ontario. As a result of the increased funding and the introduction of a new funding framework, children's aid societies have been able to hire over 1,700 new child protection staff since 1995. That is an increase of more than 77%.

1730

We've also proclaimed new amendments to the Child and Family Services Act, including adding neglect as a factor in determining if a child is in need of protection. The amendments to the Child and Family Services Act were the first major changes to child protection laws in over a decade, and they make it clear that the needs of children must come first. We've heard a lot from the third party about their concerns. But since it's the first in over a decade, I guess it indicates that they did not pass any bills that would have been helpful during their five years.

As I mentioned, our government has increased funding for child welfare by 139%, to over \$860 million in 2001-02. This enhanced funding will help children's aid societies respond to increased service demands and better protect the vulnerable children they are there to protect.

Ontario's 52 children's aid societies provide a comprehensive range of services, which include the investigation of child abuse; counselling for families where a child might be at risk; provision of substitute care, such

as foster homes or group homes; and protection of children.

Just a comment about the Northumberland Children's Aid Society, which has gone out, a bit at risk—and often in government we don't reward those who take a chance. That children's aid society has reduced significantly the number of children who end up in group homes. They go out and work with families through counselling. Of course, we all know the best place for a child, if at all possible, is with their parents. I compliment that children's aid society for being so proactive in the prevention of child abuse. Of course, if one child was misused and it was public, or anything worse happened to a child, they would have a lot to answer for. But they've taken a chance and it's working extremely well. There are fewer in foster homes and fewer in group homes because of the people who work there being so proactive in preventing it.

The safety and well-being of vulnerable children in need of protection is indeed a priority of our government. It's our goal to help every child get a good start in life, to help every child realize their full potential.

Ontario's justice system also has responded to the needs of vulnerable children. Since 1997, Ontario has created 15 child-friendly courts. These courts specialize in child abuse and domestic abuse cases with child witnesses. It must be very, very difficult for a child to be a witness in some of these courts. Child-friendly courts are designed with special features to help make the courtroom less intimidating for young victims and witnesses. These features include a screen in front of the witness stand to shield child witnesses from the accused and others in the courtroom.

**Mr Kormos:** On a point of order, Mr Speaker: It's extremely irritating not to have the member speak to the bill.

**The Deputy Speaker:** The member may continue his remarks.

**Hon Mr Galt:** Thanks very much, Mr Speaker. If you'll excuse the expression, those comments sound like the pot calling the kettle black. But I appreciate that he's following what's being said here and he's interested in my comments. For that I thank him and compliment him for that dedication in sitting there and listening to the eloquent words I am delivering.

We want to do everything we can to lessen the trauma of the abuse of our children. Our government will also be expanding domestic violence court programs province-wide. These courts give priority to the safety and needs of domestic assault victims and their children. I'm sure the member from Niagara Centre, being a lawyer by profession, would appreciate and understand the importance of some of these things our government is doing.

This comprehensive program involves teams of specialized personnel, including police, crown attorneys, the victim/witness assistance program, staff and others who work together to better coordinate services that are tailored to the needs of the victims.

The Ernie Eves government recognizes the importance of providing programs and services that benefit all families with young children. The years from zero to six are the most important learning and development period in one's lifetime. They just soak it up like a sponge, even though they don't seem to be paying very much attention to you. That is why we have provided funding for a number of initiatives through the Ontario Early Years plan. Funding from the plan supports some 41 Ontario Early Years centres that are currently operating right across the province, with another centre scheduled to open this summer and another 62 centres set to open by next spring.

The Ontario Early Years centres serve as a gateway for parents to get answers to questions about their children and referral to services. I happened to be at the opening of one of these Early Years centres in Belleville back in the spring, and it was quite refreshing to see—it's sort of like a one-window approach to getting the services when somebody has a child they're concerned with and want to better understand how they can serve their child better by getting some of these services.

They offer a mix of supports that address common needs, such as literacy and nutrition programs as well as resources for parents. Funding from the Early Years plan supports 50 early literacy specialists, linked to Ontario Early Years centres, who work with children, families and front-line professionals to promote effective literacy programming in the community.

Our government also recognizes that child care is another important issue that affects many families and children. Child care is an essential resource that enables parents to balance the challenges of work and family. I've heard the opposition, particularly the third party, talk a lot about child care and the importance of it, so I'm sure the member from Niagara Centre is going to be quite interested in these comments.

We believe that parental choice is imperative, because different families have different needs. To help give parents the flexibility they need, our government is spending a record amount on child care. This year alone the province plans to spend over \$700 million to help parents with their child care needs, a record amount.

**Mr Kormos:** On a point of order, Mr Speaker: I don't believe there's a quorum, sir.

**The Deputy Speaker:** Is there a quorum?

**Clerk Assistant:** A quorum is not present, Speaker.

*The Deputy Speaker ordered the bells rung.*

1740

**Clerk Assistant:** A quorum is now present, Speaker.

**The Deputy Speaker:** The chief government whip may continue.

**Hon Mr Galt:** Just sort of winding up my comments here—

*Applause.*

**Hon Mr Galt:** I see some enthusiasm from the opposition. I appreciate that applause. It's very kind of them.

Two hundred million dollars of this funding is directed exclusively to low- and modest-income families through the Ontario child care supplement for working families.

In the short time I've had today, I have been able to mention just some of the programs and services our government has introduced to help children and families. There are many more, and there will continue to be many more. Our government takes very seriously the responsibility of assuring the safety and well-being of children and families in Ontario. This legislation is further proof of that.

I enthusiastically support this piece of legislation. From what I've been hearing in the House from members of the opposition and of the government, it looks like it's going to be unanimously supported when it comes time to vote. I look forward to the point in time when we have this legislation passed and it receives royal assent and is proclaimed and in place to support families here in Ontario, particularly the children, in the future.

**The Deputy Speaker:** Members now have up to two minutes for questions and comments.

**Mr Smitherman:** I want to comment on the comments by the member from Northumberland. I don't often agree with the member for Niagara Centre—well, I do from time to time—but when he did make his interjection and asked the member to speak to the bill, I think he was on a pretty good point, because this guy took a bill about interjurisdictional matters and managed to make it a 15-minute rhetoric-laden speech about all this government has done for children. In the minute and 30 seconds I have left, I'd like to correct the record.

This is the government that clawed back from the poorest kids in our province the child tax benefit directed toward them from the federal government, an effort matched by only by a few other provinces in this country. This government clawed back the nutritional supplement that was intended to make sure kids who were about to be born had the benefit of some better nutrition from their mothers, and in the meantime managed to accuse pregnant mothers who were on welfare of spending the money on beer. This is the government that had a welfare cut of more than 20% that didn't just affect parents and adults but also affected children. This is the government whose early childhood centres in some ridings in our province—they've been spending federal money with little more than an investment in new infrastructure and signage but not in child care services targeted toward children. This is the government that in the city of Toronto has led an unprecedented attack on classroom education with dramatic effects in so many parts of our city. And this is a government which continues to demonstrate its lack of support for meaningful child care.

But hope is on the horizon, because tomorrow my leader, Dalton McGuinty, and the Liberal Party will outline our education and child care policies. I want to let Ontarians know that the gig is almost up for these guys.

*Interjections.*

**The Deputy Speaker:** Order, please. The member for Durham.



**Mr O'Toole:** Thank you very much, Mr Speaker, for paying respect to the issue by making sure there's order in the House and that due attention is given to this important bill.

I think the member from Northumberland has said it all. But at the risk of sitting down early, I will comment. I can't help but think that the primary message here is children and families. I don't want to sound corny—I've often been called Ward Cleaver by some—but ultimately the real purpose here is to make sure that interjurisdictional orders are more easily administered.

Just because there's a finding and an order is issued—what we hear in our offices, and I'm sure all offices do, is the whole issue of trying to collect those orders. And those orders quite often are the very lifeline, if you will, for the family.

Our offices work diligently, as I'm sure all members of the House and their staff try to support those families. But if this interjurisdictional legislation isn't approved, and the members know that—I've heard them all say they support it—it's the right sort of thing to do. But what this does is streamline the process by which these orders would become enforced in the jurisdiction that we have these agreements with.

I know we've seen tremendous leadership by our Attorney General, David Young, as well as our Premier at the ministers' conference, to make sure that all provinces—the federal government has a role here, under the Divorce Act, as well.

When I think of families, in the few minutes remaining, I'm tonight very privileged to attend the volunteer recognition awards. One of the groups and organizations that I have the greatest amount of time for are the Big Brothers and Big Sisters volunteers and organizations, who take this vine and try to wrap it together. Those people that contribute to their communities have to be recognized.

**The Acting Speaker:** Further questions, comments? There are two spots left. Does anyone else want it?

**Mr R. Gary Stewart (Peterborough):** Yes, I would like to make a comment on this. In fact, I made a comment on this particular bill on Tuesday, because I was absolutely disgusted with the conduct in this House when people were laughing and carrying on about what I believe is an extremely—

**Mr O'Toole:** Was it us?

**Mr Stewart:** No, it wasn't—an extremely important bill, being 131. As had been mentioned by my colleague from Durham, this is all about children.

I guess it's interesting when I hear the comment made about how tomorrow's a big day because Dalton's going to release his plan for children. I hope it has more substance than any of the other ones he has, and I hope the people of Ontario ask, "How is it going to happen, and how much is it going to cost?"

In this particular case, the bill that we're talking about, I want to compliment a lot of the people that work in the Family Responsibility Office. The co-operation that we

get in my office from them is tremendous. The unfortunate part of it is, they have a very difficult job, and that is the reason for this bill. When spouses leave this province, go to another one or to another jurisdiction, it makes it very difficult to follow up on it, makes it very difficult for them to find out where they are and to get the support back to the people.

You know what really bothers me? The fact that we bring children into this world. I think we have a responsibility for them. It disgusts me when I see spouses that will not give the support that I believe their children, whom they brought into this world—they won't give that support to. It disgusts me very much. I implore the people who are in those circumstances to remember, those kids are yours, and support them.

**The Acting Speaker:** Any further questions, comments? Hearing none, the chief government whip has up to two minutes to respond.

**Hon Mr Galt:** I appreciate the thoughtful comments from the members from Durham and Peterborough. I appreciate how the member from Durham talked about children and families and this bill and my speech and just sort of summed everything up that's needed in that area.

The member from Peterborough talking about decorum in this House: I certainly respect his comments on that because at times I feel like he does. It bothers me, the kind of lack of decorum that occurs here—of course not when you're in the chair, Mr Speaker.

But also his comments about the Family Responsibility Office and the good relationship that his office has with theirs—it's similar to mine. It's people in those offices that work very hard. There are some very difficult circumstances that they're faced with at times. It's very difficult sometimes to get blood out of a stone.

Then of course the member from Toronto Centre-Rosedale made some interesting comments. He talked about some of the things that he was critical of our government. But he forgot to talk about the government that has gotten more than a half-million people off welfare since we took office. He forgot to comment about almost a million people with new jobs that have occurred since our government took office. He forgot to comment on the \$8-billion increase that our government has brought in for health care, while the federal government has reduced the transfer payments for health care. I'm sure he wanted to mention, he just didn't quite get to it, all the good things that have been brought in in education, such as a new curriculum, the testing and the standards. I'm sure he would have liked to have brought up all the environmental bills that we have brought forward to improve our environment. I know it was only an oversight, and I appreciate his thoughtful comments.

1750

**The Deputy Speaker:** The floor is open for further debate.

**Mr O'Toole:** I'm surprised and pleased, actually, that I have this opportunity to complete the time allocated today to make sure that this business goes forward.

It's clear that the opposition is trying to make a statement, as they should. Their duty is to oppose, and they do it effectively at times; not quite effectively enough, unfortunately. Coming second isn't that bad after all, anyway.

I did, with a great deal of passion and foresight—I spoke during one of the quorum bells directly with the Attorney General of the province of Ontario. I have every confidence that he has given this considerable time and consultation. He did remind me to keep in mind that it was Bill 131, the Interjurisdictional Support Orders Act, 2002, An Act to facilitate the making, recognition and variation of interjurisdictional support orders.

I have a fairly large speech here. In the 18 or few minutes that I have left—

**Mr Joseph Spina (Brampton Centre):** Try eight.

**Mr O'Toole:** The member is saying eight minutes. I'm going to need 18 minutes just to introduce this bill. That being said, I've decided to put the script aside and go on alone. It's going to be hard.

What actually impresses me and inspires me is, I am going to a volunteer appreciation ceremony this evening. When I look at those constituents of mine from all partisan perspectives, I'm impressed with their commitment to community. Many of them, I might say, are part of the solution to this problem.

The very first group of recipients is the 1st Newcastle Scout Group.

**Mr Gill:** Name names.

**Mr O'Toole:** This isn't a bad idea. Actually, the member from Bramalea-Gore-Malton-Springdale is one of the most articulate members. He's always trying to take my time.

Betty Charland has spent 30 years working in the scouting movement. Just think of a 30—

**Mr Kormos:** Mr Speaker, on a point of order: It being 5:55 pm, I seek unanimous consent that it be deemed to be 6 pm and the end of a sessional day to end this pain.

**The Deputy Speaker:** Is there unanimous consent? I hear a no, and that person may now resume his speech.

**Mr O'Toole:** I was somewhat disappointed that members on this side of the House were actually voting to end my time.

But really, I know many of these people personally, because my riding of Durham is my home. There's Hugh Coutts, for instance. I know Hugh personally and have been involved in other activities—25 years in scouting.

The point I'm trying to make, and the member from Niagara Centre might want to pay attention, is that they contribute to the essence of vulnerable children, or the essence of making community and families, and supporting that infrastructure. It's not just the courts. Children need five kinds of commitments, under Ontario's Promise that Premier Harris initiated in this province.

The next group, surprise, surprise, is Bethesda House, which is a women's shelter that I strongly support. I know our minister was very supportive of the announce-

ments in the last budget to expand women's shelters, which is part of this whole debate, to some extent.

I have to recognize Margaret Lingard, who has volunteered from the founding of that organization—and I commend her for that—Anthony Fortune, who has also been on the board, and Robyn McGill, just to name three of them, because I do want to get as many names in as possible.

I look at the next group. By coincidence, this complements the point I'm making about the strength of community and supports in the community. A lot of volunteers make an important contribution.

There's the Clarington Community Care group. They have friendly visitors and programming. I commend them as well, with the administrator, Sally Barrie, an excellent person who has worked with Big Brothers. She was the administrator for Big Brothers for a number of years. The names I see here are commonly known, probably better known than I am—I'm working on that—Stanley Hall, for instance, five years; Faye Jones, 10 years; Nancy MacMaster, five years; Jean O'Neill, 10 years; Walter Tink, five years; Ethel Wilson-Besco, five years.

What the symmetry is all about here is that we're talking about a bill that really ultimately talks about making sure that court orders are actually executed to the extent where the family that is supposed to receive the money actually—

**Mr Kormos:** On a point of order, Speaker: The member is making up words and misusing the ones that aren't made up. Surely that's contrary to the rules.

**The Deputy Speaker:** Thank you very much. The member may continue his remarks.

**Mr O'Toole:** As humble as I try to be—it's hard sometimes.

The 4-H club of Ontario—Jim Coombes. He's been president of the Lions, a district governor, and this person gives back. I'm sure he was a member of Big Brothers at one time.

I'm trying to make all this fit together under the umbrella of Bill 131. To support single families and children, it takes a strong community—that's the point I'm trying to make—and that strong community isn't just a cheque. It's having volunteers and organizations like scouts and guides and community groups that are willing to work with children and provide resources when necessary, and also inspiration, leadership and mentoring, more importantly perhaps.

This goes a long way to solving one of the problems in this whole issue of custody and support payments with interjurisdictional dispute mechanisms to make sure children have access to the funds that have been awarded by the courts.

With the indulgence of members here, I want to mention a few more names: Orono Public School—there's a school. Schools are central to a community. Minister Helen Johns was at Orono at the agricultural fair this year, the 150th anniversary. They're still talking



about it. Well, I am, because in the newsletter I put it in there. The Orono school in this case is Marie Nelson—I can tell you that she’s a needed and appreciated volunteer at that school.

It speaks to the strength of the riding I have the privilege of representing. There is the Oshawa Folk Arts Council, Russell Charter, 25 years. Scugog Community Care: Margaret Burnfield, Doris Hill, Marj Jackson, Dora Martyn and Carol Morrow. They all have 20 years or more.

When I think of the strength of the community, I’m confident that in my riding, with our office, working in partnership with individual families, the Family Responsibility Office and its purpose will be strengthened going into the future.

It’s sad to see Mr Kormos leave, because I was going to mention someone from his riding, but it turns out there’s no one here on my list.

It’s an important bill. I’m confident the House will vote unanimously to pass it. With your indulgence, I’m just going to have a moment’s silence, because we would like to make sure this bill is properly addressed and respectfully paid attention to, even though there are no NDP members present and only one Liberal, George Smitherman.

**The Deputy Speaker:** It now being 6 of the clock, this House stands adjourned until Monday, September 30, at 1:30 in the afternoon.

*The House adjourned at 1759.*

ERRATUM

No.	Page	Column	Line(s)	Should read:
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# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 30 September 2002

Lundi 30 septembre 2002

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 30 September 2002

*The House met at 1330.  
Prayers.*

### WEARING OF RIBBONS

**Mr Dave Levac (Brant):** I rise today to seek unanimous consent. October is Child Abuse Prevention Month. During the month of October, the children's aid societies in Ontario will be distributing purple ribbons in an effort to raise awareness of child abuse and neglect and to encourage people to become involved in the efforts to prevent child abuse and neglect.

The year 2002 marks the 10th anniversary of the purple ribbon campaign. I seek unanimous consent, for the month of October, to wear the purple ribbon.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

### MEMBERS' STATEMENTS

#### CARDIAC CARE

**Mr Joseph Cordiano (York South-Weston):** It is inconceivable that the Minister of Health has advised West Park Healthcare Centre in my riding that he will terminate funding of the Ontario cardiac rehabilitation pilot program. At the time the program was announced, one of the goals was to provide services to cardiac patients as close to home as possible. Cardiac rehabilitation services not only extend a patient's life, but also greatly improve the quality of life. It allows patients to return to work while reducing the risk of repeat heart attacks.

Minister, over the past few weeks I, along with my colleague the member for York West, Mr Mario Sergio, have received numerous phone calls, letters and e-mails from concerned constituents. They believe this program is very vital and that it must be granted permanent funding.

Our York South-Weston community is already severely underserved when it comes to health care. In July 2001, the Toronto District Health Council identified northwest Toronto as an underserved area—not surprising given that this government is directly responsible for the closure of Northwestern hospital. If that wasn't enough, Humber River Regional Hospital in my area is already on critical care bypass, on average, more than any other hospital in Toronto.

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 30 septembre 2002

I say to the minister, it is unconscionable that you are thinking of not granting permanent funding. Do the right thing and grant that permanent funding to West Park hospital.

### BILL COHOON

**Mr John O'Toole (Durham):** I rise in the House today to salute a distinguished resident of Scugog township on the occasion of his retirement.

Dr Bill Cohoon was recently quoted in the Port Perry Star as saying he has never seen so much hype over someone's retirement. However, the attention is well deserved. It's a tribute to the high esteem in which he is held by his colleagues, his patients, and indeed the entire community. I trust that the good doctor will not object to a few words of congratulations from his MPP.

The September 10 Port Perry Star notes that Dr Cohoon has been one of Scugog township's most recognizable figures. Since moving to Port Perry in 1968, he has served as a family physician, general surgeon and leader of several local organizations. In addition to his professional obligations, his community involvement includes serving as president of Scugog Chamber of Commerce and the Port Perry Agricultural Society.

I know Scugog township residents will be delighted to hear that Dr Cohoon plans to continue to serve as an obstetrical consultant and will continue to serve on the physician recruitment and retention committee. I have worked with Dr Cohoon on this committee and know that Dr Cohoon is committed to encouraging young doctors to move to Scugog and carry on the high standard of care he and his colleagues have set.

Dr Cohoon also plans to devote time to his farming operation. With his son, Zac, and his wife, Whitney, Mr Cohoon runs a broiler chicken business, feedlot and cow-calf operations—very diversified individuals.

I'd like to extend my best wishes and congratulations to Dr Cohoon for a happy and productive retirement.

### NATURAL GAS RATES

**Ms Caroline Di Cocco (Sarnia-Lambton):** My office has received hundreds of calls and e-mails from individuals and businesses that are irate about the natural gas retroactive billing. Residents, businesses, municipalities, hospitals and schools will all be receiving a retroactive bill for natural gas. This cost is for the winter of 2000-01. People who have spoken to me are incredulous that they

will have to pay for this cost and, to add insult to injury, they will have to pay the interest on this cost. Even those who are not Union Gas customers have been given notice. It's unbelievable that there's no protection for the consumer in this case.

The Minister of Energy and the Harris-Eves government gave themselves the authority back in 1998 to review the decisions of the Ontario Energy Board. Does the minister actually believe this is acceptable? Consumers feel they are being held hostage by this retroactive billing. To boot, Duke Energy reported an operating profit of US\$1.8 billion last year. The year in question, their profits were approaching US\$500 million.

This smacks of nothing less than corporate greed, and the Ernie Eves government seems to approve of this type of business practice by the private sector, which leaves ordinary people hostage to cost increases.

### VISITORS

**The Speaker (Hon Gary Carr):** Just before we continue with members' statements, we have some guests who may have to leave.

We have with us today in the Speaker's gallery the chairman of the Armenian National Assembly, who is accompanied by the Armenian ambassador to Canada and a delegation from Parliament, along with Sarkis Assadourian, the member of Parliament for Brampton Centre, who is chairman of the Canada-Armenia Parliamentary Friendship Group. He is being joined today as well by the Speaker of the Parliament. Would you please welcome our honoured guests.

### GLEN COCHRANE

**Mr Michael Prue (Beaches-East York):** It is indeed my honour today to rise and pay tribute to Glen Cochrane, the Beaches Person of the Year. He was inducted on Saturday. This award was developed by Beaches Metro News. Each year they choose a new person in the Beach to showcase the many people who do wonderful things in our community. Last year the winner was Gene Domagala. This year the winner is Glen Cochrane.

You may remember him best when he worked for years for CFTO News. He was the guy at the end of the newscast who went around telling you happy things that were happening. Since his retirement from CFTO News he has done a great deal of work in our community, everything from saving the Leuty lighthouse to the annual Lions Club Christmas do, and he's the chair of the Centre 55, which does much great work in our community.

On Saturday he was inducted at the Millennium Peace Gardens. There was an assembly of politicians and people from the community there to see him and to salute him. We salute and commend Glen Cochrane for his invaluable and continuing contribution to the people of

the Beach, the people in our community whom he strives every day to help.

We also saw some senior citizens down there today who are doing everything they can to help everyone in Ontario. We salute Glen Cochrane for being part of that very great group of people who give of their time, their money and their expertise to make sure our communities are better places to live.

1340

### GOLDEN JUBILEE OF QUEEN ELIZABETH

**Mr Bart Maves (Niagara Falls):** In celebration of the Queen's Golden Jubilee, and with her visit to Canada soon approaching, I would like to take this opportunity today to highlight some local events in which I have recently had the privilege of participating.

Last night, I attended a service of commemoration and thanksgiving for the Golden Jubilee of Her Majesty Queen Elizabeth. The ecumenical service was organized by and held at St Mark's Anglican Church in Niagara-on-the-Lake. Reverend Aikman from St Saviour's Anglican Church and Reverend Ford from St Andrew's United Church were also in attendance with St Mark's own Reverend Wright. These three gentlemen conducted a wonderful service. The traditional festal evensong service was sung by the PCVS women's choir from Peterborough, under the direction of Christine Van Der Bank, with guest organist Giles Bryant. The Right Reverend D. Ralph Spence, bishop of Niagara, was also in attendance.

Prior to this weekend's event, the Monarchist League of Canada also held a Queen's Golden Jubilee service on both Sunday, April 21, and, even more recently, on Sunday, September 22, in Niagara-on-the-Lake. Both celebrations featured bands of the Salvation Army, Thorold pipe and drums and Fort George fife and drums.

I'd like to congratulate all of the organizations across Ontario which have held and those which are in the midst of preparing celebrations for the Queen's Golden Jubilee.

I know we all look forward to Her Majesty Queen Elizabeth's visit to Ontario in the near future, and we appreciate her many years of dignified service to the Commonwealth.

### MENTAL HEALTH SERVICES

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** When this government proclaimed Brian's Law, making it easier legally to get those with mental illness into treatment programs, it promised to back up that legislation with adequate mental health facilities and community support services. That has simply not happened. Community mental health agencies have not had an increase to their base budgets in 10 years, and the last budget ignored the requests from these agencies for funding just to maintain their programs.

This government is still focused on shutting down psychiatric hospitals and closing mental health beds,



despite an earlier promise that no beds would be closed until community support services were in place. The mental health reform implementation teams are finally starting to bring in reports with recommendations that the government clearly is not ready to fund, and in the meantime, the mentally ill are still on our streets and in our jails.

A study released last week showed that the amount of time that police in London are spending to deal with people who have mental health problems has doubled in the last four years, even though the number of people considered violent has actually decreased. Shockingly, the study shows that 81% of people with mental illness who are involved with the police will be involved with them again within two years—a direct, predictable and tragic result of this government's failure to provide adequate treatment services and supportive housing.

Brian's Law was supposed to be about decriminalizing mental illness. In fact, we are criminalizing the mentally ill more than ever. When will the Ernie Eves government make good on its promise to those with mental illness? Shame on this government for pretending to care and then doing nothing.

JEFF ADAMS

**Mr Bob Wood (London West):** I rise today to report on an amazing event that Citizenship Minister Carl DeFaria and I attended on September 26, 2002.

Jeff Adams climbed the 1,776 stairs of the CN Tower in a specially designed wheelchair, with the hope that his efforts would inspire others to reach for a new level of understanding about the issue of accessibility. The climb took Mr Adams approximately five hours to complete, in a chair built with wheels that roll in only one direction.

Mr Adams is vice-chair of the new Accessibility Advisory Council of Ontario. This project was named Step Up to Change. He attempted this feat for several reasons: first, to heighten awareness about the abilities of people with disabilities and to change people's perceptions and eliminate stereotypes; second, to create awareness of the barriers faced every day by millions of Canadians with disabilities and the need for a barrier-free society; and finally, to raise money for the Canadian Foundation for Physically Disabled Persons to help launch a national school outreach program geared toward elementary school children, which will sensitize the builders and leaders of tomorrow, our youth, to the abilities of people with disabilities.

Jeff Adams is a two-time Olympian, three-time Paralympian, six-time world champion and prior world record holder in the 1,500-metre men's wheelchair event.

I know that all members of this House will join with me in congratulating this remarkable young man on accomplishing this amazing feat and, most important, creating public awareness to the barriers faced by those with disabilities.

## EDUCATION

**Mrs Sandra Pupatello (Windsor West):** On Friday, my leader, Dalton McGuinty, announced the Liberal platform for education. Dalton McGuinty's Liberals will reduce all class sizes to 20 for the all-important early years of kindergarten to grade 3. We will launch Best Start, an ambitious early childhood education program, and Dalton will ensure three quarters of all households with children under four are eligible for assistance.

The Liberal platform will ensure that students stay in school by raising the dropout age to 18. We will increase resources in the classroom by cancelling the Conservatives' handout to private schools and corporations.

Dalton guaranteed his plan will get results. Seventy-five per cent of all children will be able to pass the government's reading, writing and math province-wide tests or the voters will hold us accountable.

What is the response from Ernie Eves? "Nope, can't be done." "Nope, that's too much ambition." "Nope, no way, no how."

We've just got to say that Ernie Eves has become Dr No: negative, contrarian and unable to recognize any vision because his dried up years ago.

We just want to say once again that Dalton McGuinty guarantees results.

## KYOTO PROTOCOL

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** Many businesses and ordinary citizens are beginning to realize that the Liberal Party of Dalton McGuinty and Jean Chretien has a secret agenda to kill jobs in Ontario. Dalton McGuinty's support of the Kyoto accord fails to take into consideration the fact that no other country in North or South America has signed on to this scheme.

Without consulting businesses or taxpayers, the Liberals are rushing ahead with the Kyoto accord, which many agree will cause our taxes to rise and increase our hydro bills dramatically. Most importantly, they agree the accord will kill over 100,000 jobs in Ontario and hurt many Ontario families.

When asked about the impact of the Kyoto accord, Len Crispino, president of the Ontario Chamber of Commerce, said, "Ratifying the Kyoto accord ... will result in significant job loss."

Businesses and residents in my great riding of Bramalea-Gore-Malton-Springdale have also expressed to me that they have very serious concerns about this accord.

Without concern for Ontario working families, Dalton McGuinty continues to support this job-killing scheme. Members on this side of the House know that sending 100,000 Ontario jobs to America and Mexico is a dumb idea. That is why Premier Eves has said that he will not support a plan that will kill jobs in our province.

Many Ontarians want to know: will Dalton McGuinty follow Premier Eves's lead, or will the Liberal Party

continue to hide their job-killing agenda from the people of this province?

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: I seek unanimous consent to put a motion to allow the House to sit tonight until midnight so the Liberals can debate their policy on Kyoto and we can have a debate with the Conservatives on their apparent opposition to Kyoto.

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** On a point of order, Mr Speaker: As a matter of fact, just by luck, we do have a late sitting motion here today.

**Mr Duncan:** On a point of order, Mr Speaker: You will note that I called to sit until midnight tonight. That motion doesn't call for it, nor does that motion call for us to deal with Kyoto.

Mr Speaker, again, I can clarify. I'd like to have the opportunity for the Liberals, the Conservatives and New Democrats to debate their position on Kyoto tonight—

*Interjections.*

**The Speaker (Hon Gary Carr):** Until midnight.

**Mr Duncan:** I'd seek unanimous consent of the House to do that.

**The Speaker:** Is there unanimous consent? No.

## INTRODUCTION OF BILLS

### LEGAL AID SERVICES AMENDMENT ACT, 2002

#### LOI DE 2002 MODIFIANT LA LOI SUR LES SERVICES D'AIDE JURIDIQUE

Mr Young moved first reading of the following bill:

Bill 181, An Act to amend the Legal Aid Services Act, 1998 / Projet de loi 181, Loi modifiant la Loi de 1998 sur les services d'aide juridique.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

The Attorney General for a short statement?

**Hon David Young (Attorney General, minister responsible for native affairs):** This bill, if passed, will allow Legal Aid Ontario to greatly expand its use of staff lawyers, enter into fee-for-service agreements with qualified lawyers and law firms to provide legal aid services in a given community, and expand the functions of existing family and criminal law duty counsel. This bill is vital to the proper functioning of Ontario's justice system, and I hope the House will consider it and approve it as soon as possible.

1350

### TOWN OF ERIN ACT, 2002

Mr Arnott, on behalf of Mr Eves, moved first reading of the following bill:

Bill Pr11, An Act respecting the Town of Erin.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 84, the bill stands referred to the standing committee on regulations and private bills.

### REPRESENTATION AMENDMENT ACT (NORTHERN ONTARIO), 2002

#### LOI DE 2002 MODIFIANT LA LOI SUR LA REPRÉSENTATION ÉLECTORALE (NORD DE L'ONTARIO)

Mr Brown moved first reading of the following bill:

Bill 182, An act to amend the Representation Act, 1996, to prohibit the reduction of electoral districts in Northern Ontario / Projet de loi 182, Loi modifiant la Loi de 1996 sur la représentation électorale pour interdire la réduction du nombre de circonscriptions électorales du Nord de l'Ontario.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Michael A. Brown (Algoma-Manitoulin):** This bill amends the Representation Act of 1996 by prohibiting the reduction of the number of electoral districts in northern Ontario below the number of districts that existed on June 3, 1999.

As the House would know, the north lost over one third of its seat in the 1999 redistribution. The north deserves more representation.

## MOTIONS

### HOUSE SITTINGS

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** With agreement from the Liberal and NDP House leaders, I believe we have all-party consent to move a motion regarding the Queen's visit in Toronto.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

**Hon Mr Stockwell:** I move that on Wednesday, October 9, 2002, this House adjourn after routine proceedings and its committees not sit in the afternoon of that day in order that the members and guests may attend the Queen's visit to Toronto.

**The Speaker:** Mr Stockwell moves that on Wednesday—



**Hon Mr Stockwell:** Dispense.

**The Speaker:** Dispense. Is it the pleasure of the House that the motion carry? Carried.

**Hon Mr Stockwell:** I move that pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Monday, September 30, Tuesday, October 1, and Wednesday, October 2, 2002, for the purpose of considering government business.

**The Speaker:** Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members; this will be a five-minute bell.

*The division bells rang from 1355 to 1400.*

**The Speaker:** All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Agostino, Dominic  
Armott, Ted  
Baird, John R.  
Barrett, Toby  
Bartolucci, Rick  
Beaubien, Marcel  
Bountrogianni, Marie  
Boyer, Claudette  
Bradley, James J.  
Brown, Michael A.  
Bryant, Michael  
Caplan, David  
Chudleigh, Ted  
Clark, Brad  
Clement, Tony  
Coburn, Brian  
Colle, Mike  
Cordiano, Joseph  
Crozier, Bruce  
Cunningham, Dianne  
Curling, Alvin  
DeFaria, Carl  
Di Cocco, Caroline  
Dombrowsky, Leona

Duncan, Dwight  
Dunlop, Garfield  
Ecker, Janet  
Elliott, Brenda  
Flaherty, Jim  
Galt, Doug  
Gilchrist, Steve  
Gill, Raminder  
Hardeman, Ernie  
Hoy, Pat  
Jackson, Cameron  
Johns, Helen  
Johnson, Bert  
Klees, Frank  
Kwinter, Monte  
Levac, David  
Maves, Bart  
Mazzilli, Frank  
McDonald, AL  
McLeod, Lyn  
McMeekin, Ted  
Molinari, Tina R.  
Munro, Julia  
Mushinski, Marilyn

Newman, Dan  
O'Toole, John  
Ouellette, Jerry J.  
Parsons, Ernie  
Peters, Steve  
Phillips, Gerry  
Pupatello, Sandra  
Ramsay, David  
Runciman, Robert W.  
Ruprecht, Tony  
Sergio, Mario  
Smitherman, George  
Spina, Joseph  
Sterling, Norman W.  
Stewart, R. Gary  
Stockwell, Chris  
Tascona, Joseph N.  
Tsubouchi, David H.  
Turnbull, David  
Wilson, Jim  
Witmer, Elizabeth  
Wood, Bob  
Young, David

#### Nays

Kormos, Peter  
Martel, Shelley

Martin, Tony

Prue, Michael

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 71; the nays are four.

**The Speaker:** I declare the motion carried.

## ORAL QUESTIONS

### HYDRO ONE

**Mr Michael Bryant (St Paul's):** I have a question for the Minister of Energy about the activities of the chief executive officer and other executives and board mem-

bers of a government enterprise corporation in your ministry.

According to published reports, Eleanor Clitheroe engaged in fundraising activities—solicited donations—for a leadership candidate, the Premier of Ontario. Will you confirm whether this took place by a CEO in your ministerial purview? Will you disclose the names of all other executives and board members of hydro corporations, government enterprise corporations and crown corporations who engaged in similar fundraising activities?

**Hon John R. Baird (Minister of Energy, minister responsible for francophone affairs):** Like him, I read a media report over the weekend where such a claim was made about a former CEO. I'd be happy to discuss the Ernie Eves leadership campaign and the more than 18,000 donations that were received. Obviously many thousands of people around the province of Ontario were raising funds for that individual.

If the member opposite has any allegations of wrongdoing, he's obviously got Elections Ontario, which he can launch that complaint with, or he can launch it with the Integrity Commissioner.

**Mr Bryant:** I think it's a lot more serious than that. We don't have deputy ministers canvassing door-to-door for ministers, for the very obvious reason that they have to serve their political masters in the interests of the public. The problem with a CEO of a government enterprise corporation fundraising on behalf of a leadership candidate is that it looks to Joe Q. Public like they are shilling on behalf of their political masters; it looks to Joe Q. Public like they are trying to acquiesce to their ministerial masters; it looks to Joe Q. Public that they are trying to tollgate, that they are trying to buy their reappointments.

We cannot have that, so we need a code of conduct, obviously, and we have to say, "No, you can't buy yachts; no, you can't buy yachting club memberships; and no, you cannot solicit funds on behalf of the Premier." Will you agree to this, and can we clean up this mess once and for all?

**Hon Mr Baird:** Within the public service there are certain rules which are laid out. The allegation of the member opposite of course does not cover the public service. I've had a number of deputy ministers, most of whom probably wouldn't have agreed to go door to door for me.

**Mr Bryant:** Here's the problem: right now, under the Hydro One code of conduct, believe it or not, the CEO is supposed to police himself or herself. So of course the CEOs follow their own code of conduct. They wrote the code of conduct. We obviously need something to rein in this kind of activity, because it dilutes the public's confidence in our public corporations. They think that instead of Hydro working on behalf of them, they're working on behalf of you. Meanwhile, according to published reports, Hydro One bills are going to go up 40%. That's even dumber than buying another yacht, Minister.

I think it's time for your folks to start getting on to the side of consumers and get off the fundraising circuit. What do you say to all those Ontarians who have always had access to reliable and affordable electricity no matter where they lived in Ontario? You could live in northern Ontario, eastern Ontario, southwestern Ontario and you'd all have the same access to Hydro One transmission. Now you're raising the bills. What do you say to those Ontarians whose bills are going up still further? You're not lowering rates; you're making them go up further. What are you doing on behalf of Ontario consumers?

**Hon Mr Baird:** Hydro One is currently consulting stakeholders and groups around Ontario about a rate application which all utilities make every two or three years. In that consultation they have made no specific proposal; they've made no specific issue. They have raised the issue of harmonization, something that has been done in utilities around the province. The member opposite represents a constituency in the city of Toronto. They would have done that there. They certainly did it in my constituency, where they harmonized rates between the five utilities that form the new Hydro Ottawa. They have had no specific proposal with respect to it. I did receive a letter from the current chief operating officer and president of Hydro One, where he says, "I am writing you regarding a media report this morning that indicated that Hydro One was proposing a 40% increase for some of its electricity distribution rates. I want to assure you that this report is categorically false."

### CHILD CARE

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** My question is for the Deputy Premier. The Harris-Eves government's failure to give our children the help they need to succeed is being felt right across Ontario. The experts have been telling you that the system is broken, but you refuse to fix it.

One of those experts is Margaret McCain, the co-author of the Early Years report. McCain has been so distressed with the way your government treats children that in her follow-up report to the Early Years Study, she writes that your programs will have a relatively small impact on Ontario's children. She was so disenchanted with your lack of action that she quit the board of Ontario's Promise. Upon her departure, McCain stated, "I felt that if I was going to be a spokesman, an advocate for children, I could not maintain any credibility and stay on that board."

McCain and other Ontario parents want to know why your government has ignored the recommendations of the Early Years Study and why you continue to fail our children.

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I'm going to refer the question to the Minister of Community, Family and Children's Services.

1410

**Hon Brenda Elliott (Minister of Community, Family and Children's Services):** I think my colleague across the

way first needs to acknowledge that it was in fact our government that first drew attention to the issue of early years, under former Premier Harris.

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. Come to order.

The minister may continue.

**Hon Mrs Elliott:** Under the former Liberal and NDP governments, the words "early years" were never heard. It's only under our government that people have come to understand how very important it is to make investments in the early years from infancy—and even before infancy—up until preschool age.

Our government has made tremendous investments in this particular area. We've done it through very focused programs, and we've done it through broad programs that speak not only to the children's needs but also to those of the parents. We believe it's an unprecedented investment. It's the right thing to do, and we're very proud of it.

**Mrs Dombrowsky:** I would suggest that with the minister's background in history, she should well know that it was John Sweeney and the New Directions document that first focused on early years in this province.

Minister, your programs are centrally controlled, they exclude community involvement and they completely ignore child care. Your programs are the antithesis of everything the Early Years Study stood for. Families who are struggling to find child care for their children are waiting for help.

On Friday my leader, Dalton McGuinty, announced the Best Start plan for child care in Ontario. Our plan provides that 75% of all households with children under four will be eligible for assistance. A Liberal government will help 300,000 families and will ensure that child care providers are regulated and standards are met.

Minister, we have a plan for Ontario's children. What is your plan?

**Hon Mrs Elliott:** To my colleague's comment that this is a centrally focused program, I have to say to her that nothing could be further from the truth. The Early Years centres, for instance—half of them are up and running, just over 42, with another 60 to follow this year—are strategically placed throughout the province. They are being built on the foundation of community advice all across this province and in fact respond in many different ways. I have visited many of them personally, and they are very much, each one, individually designed to meet needs locally.

As far as the Dalton McGuinty plan that was released last week, there has been some attention paid to it. Mostly people are trying to figure out how much this thing is actually going to cost the taxpayers should it ever unfortunately have the opportunity to be implemented. The last sum I saw was something on the order of over \$3 billion and the costs still hadn't been added up.

We do believe that child care is an important thing for the people of Ontario. That's why we've invested over \$700 million in programs that are both the complement of the subsidized child care and the tax credit programs.



**Mrs Dombrowsky:** Your government has not increased what you spend on child care since you came to office. Your programs are not working. Your own experts are abandoning ship. Last Friday, Margaret McCain attended the unveiling of the Liberal Best Start plan. She said, "Child care is not on the Tories' radar screen, and they don't seem to understand the importance."

Dalton has understood the message. Minister, you refer to child care as babysitting. You really don't get it. It is what thousands of Ontario parents want and need. Child care must be on your radar screen.

Minister, our plan sets us apart. You are the government that broke the system. We will be the government that fixes it. Ontario Liberals have a plan to put children first. What is your plan?

**Hon Mrs Elliott:** I find it interesting, hearing comments like this coming from across the floor, when this government is spending over \$2.2 billion on services for children in this program. We have spent money on programs that are very focused and that are broadly based.

I ask my colleague across the way what programs she is going to cut in order to provide the over \$3 billion worth of programs. Is she going to cut the program for autistic children? Is she going to cut the program for children's mental health? Just what programs—

*Interjections.*

**The Speaker:** Order. Come to order.

*Interjections.*

**The Speaker:** You're right; there was an opening there.

Minister?

**Hon Mrs Elliott:** We understand that parents are looking for flexible child care. Some want home-based solutions; some want a more institutional child care program. Our government is one that believes in balance: balance for the parents, balance for the children, and balance for the variety of programs that need to be provided to the most vulnerable people all across this province—something, quite frankly, you will never understand.

#### NANTICOKE GENERATING STATION

**Ms Marilyn Churley (Toronto-Danforth):** My question is for the Deputy Premier. There is now a great deal of doubt and concern about your government's real plans for Nanticoke, the coal-fired generating station that pollutes Ontario's air. The Premier says he'll close it by 2015. That's not soon enough, but it's better than nothing. Now we learn that your energy minister, John Baird, has a completely different plan. He told MPP Toby Barrett that the plant will stay open.

Whom are we to believe, Minister: John Baird or Ernie Eves? Are you shutting down Nanticoke in 2015 or are you not?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I'll refer that to the Minister of Energy. He can speak for himself.

**Hon John R. Baird (Minister of Energy, minister responsible for francophone affairs):** In the leadoff question from the Liberals, I was talking about Ernie Eves's leadership campaign. Now the Deputy Premier is sloughing her questions off to me. I would have liked to hear her answer to this issue. I'm sure it would have been more engaging.

We obviously have a mix of fossil fuels, nuclear power and hydroelectric power in the province of Ontario. We're working hard to bring new, greener power on-line, such as wind and alternative fuels, and I think that's good news. I think it's important that we work to address some of the environmental issues. That's why substantial investments are being made at Nanticoke and at Lambton to try to reduce emissions and to try to improve the air quality within our air shed.

I'm a big supporter of Kyoto if there was a common desire to bring reductions down on both sides of the border. What causes me concern is that the 200 coal-fired plants on the American side won't be required to do anything under Kyoto, regardless of the future of Nanticoke. That is a concern. We want to ensure that the lights stay on in our hospitals and in our assembly lines and for working families in Ontario.

**Ms Churley:** I believe that was the answer to my question, that you're not any more planning to shut it down, and that's a disgrace. Children's asthma will continue to get worse.

But back to you, Deputy Premier. Today the reeve of Michipicoten, Doug Woods, was here. He held a news conference with our leader, Howard Hampton, to talk about the hydro rate increases of over 40% in his community. The two major employers have taken major hits and are now talking about cutting back production. Jobs will be lost—all of this because of your privatization and deregulation.

Deputy Premier, when are you going to stop this sell-off of our electricity and stop this gouging of Ontario consumers?

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** With great respect to the member opposite, how is this a supplementary to closing coal-fired plants at Nanticoke?

**Ms Churley:** It's to do with energy.

**Hon Mr Stockwell:** I'm not going to tell—you know the rules. Maybe you can make the—

*Interjections.*

**The Speaker (Hon Gary Carr):** Thank you. The member for St Catharines and I were just wondering that very point. It's funny how it came across. We're working together, all three sides.

It is a bit of a stretch, but I will allow the minister to answer the question.

**Hon Mr Baird:** The member opposite talks about higher electricity rates in the province. We went through what was the hottest summer in more than 50 years. That put a tremendous strain on the amount of resources available. That was certainly one of the reasons we had higher rates in July and August. Rates did go down in

May and June. I think the member opposite would be wise to look at it in the broader context of 12 months, when we can get a full impact once a full year has been experienced.

I have said that, as have a good number of others. There are a good number of issues in Wawa; there are a good number of issues in parts of the province which have contributed to that. I could talk about the cross-subsidization that went on in Wawa which was now changed as a result of an OEB ruling.

1420

**Ms Churley:** Minister, get with the program here. Don't you see what is going on? Jobs will be lost, and that is not a laughing matter for the people in Michipicoten. Deputy Minister, Michipicoten is served by Great Lakes Power, a private power company that is owned by Brascan. Brascan gave \$100,000 to the Ernie Eves leadership bid. If you live in Major Woods's community, it's pretty clear who is benefiting from your policies and who's losing. If you have the money to give to the Premier, you do just fine. If you don't, you lose.

Deputy Premier, I'm asking you again: what are you going to do to stop the 44% rate increases for the people of Michipicoten?

**Hon Mr Baird:** In that question the member opposite raises a number of issues. I've certainly stood in my place on a number of occasions and explained why we saw some higher rates in Ontario in both July and August. The member opposite, though, stood in her place and talked about a possible relationship between financial contributions and government policy.

I did notice in the last election that one of the NDP's largest donors in 1999, for \$7,500, was Cameco, one of the owners and operators of Bruce Power. So I wonder if the member opposite would like to stand in her place and say she'll want to send back that dirty money, that she wouldn't have any part of it. I'd be interested to see if she would do that.

#### ACADEMIC TESTING

**Mr Rosario Marchese (Trinity-Spadina):** I have a question to the Minister of Education. Your grade 10 literacy test shows how testing is really about playing politics with so many of our students in Ontario. Teachers have contacted us because they're concerned that there's absolutely no transparency in the results of these tests.

We have called your ministry to verify whether you have lowered the passing grade. We can't get an answer because your staff say they can't explain it.

Minister, can you tell us what a passing grade is, or are you cheating on your own tests?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I'm not quite sure where the member of the third party is going. However, I can tell you that today is a day where we should be acknowledging, congratulating and recognizing the students and teachers in Ontario who today have achieved tremendous success on the EQAO test.

I think we need to take a look at the fact that amongst the English-speaking students there was an improvement of 12% and amongst the French-speaking students there was an improvement of 20%.

**Mr Marchese:** Minister, we called your ministry to verify whether you lowered the passing grade. That's the question I'm asking you. They can't verify it and we're asking you, "What is the passing grade?" One in four students is not going to get a high school diploma and you can't explain their failing grade. What's to stop you from manipulating the standards every year?

My question is, why is there no accountability when you are playing with students' futures? Give us the answer: what is the passing grade? Do you know?

**Hon Mrs Witmer:** I have to tell you I'm just a little confused about the allegations that are being made by the member of the third party. All I can tell you today is that we all need to be very proud of the achievements of the students and teachers in this province, of the tremendous strides they have made and of the fact that an overwhelming majority of students passed this year: again, 75% of the English students and 67% of French students, French students being up 20%.

#### OAK RIDGES MORaine

**Mr Mike Colle (Eglinton-Lawrence):** I have a question for the Associate Minister of Municipal Affairs and Housing. A very disturbing thing is happening east of Toronto in north Pickering. Over 6,000 acres of publicly owned land are on the verge of being given away by your government without any due process. Not only are these lands which are about to be swapped, known as Seaton, environmentally sensitive, but they're worth hundreds of millions of dollars—again, publicly owned.

The people and elected officials of Pickering are very concerned that this is a done deal and are afraid you are going to do to Pickering what your government did to Richmond Hill this past summer, where your government issued an unprecedented ministerial order which ordered the town of Richmond Hill to allow the building of 7,000 homes right in the middle of the moraine near Yonge Street. Now the same developers who were allowed to build 7,000 homes on the moraine on Yonge Street are going to get this land in Seaton free.

Minister, will you commit before this House that not one acre of land in Seaton will be sold or swapped unless there's a full environmental assessment and until the town of Pickering does all the studies to ensure these lands that are being sold and given away are not environmentally sensitive?

**Hon Brian Coburn (Associate Minister of Municipal Affairs and Housing):** This is about protecting some of the most ecologically sensitive areas in the Oak Ridges moraine. The development of the Seaton lands takes development away from the disputed lands in the Oak Ridges moraine and puts it in an area that is already designated for some urban development.

These lands that are being protected make up the best remaining linkages across the Yonge Street area. Agree-



ments reached to date with developers are simply that lands in Richmond Hill and Uxbridge in the Oak Ridges moraine will be exchanged for the Seaton lands. These are ongoing discussions that are taking place as we speak.

**Mr Colle:** What is incredible is that their government ordered the town of Richmond Hill to allow 7,000 homes to be built by developers right in the middle of the moraine and the Jefferson forest near Bond Lake. These same developers who were ordered by this minister to build on the moraine are now going to be given free land in Seaton. They already got 7,000 homes on the moraine. Now this government's going to allow up to 30,000 homes to be built by the same people in Seaton, which is environmentally sensitive, which has all kinds of water-courses and which the town of Pickering doesn't want to be built upon until they finish their study.

The question again, Mr Minister: are you going to allow these same developers, who are very influential in your party and who got all these freebies in Richmond Hill, to get the same freebies in Pickering? Are you going to allow that?

**Hon Mr Coburn:** Whatever the panel has established when the chair met with Mr Crombie to provide advice and guidance to the province and the affected landowners in this particular area—the principles were important in terms of guiding the development of these lands and the evaluation of them. Those principles are used as the benchmark of fairness, openness and accountability. Certainly discussion is ongoing with the mayor and council of the city of Pickering, taking those principles into account. Those discussions continue with the city and the other stakeholders on how to develop the lands in the Pickering area.

*Interjection.*

**The Speaker (Hon Gary Carr):** Order. The member has had two questions.

## EDUCATION

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** My question is for the Deputy Premier and Minister of Education. As a parent of two children, one in the last year of high school and one just entering university, the education system is of great importance to me, as it is to so many parents across this province. Last week, Dalton McGuinty unveiled his plan for education. In it, he implied that Ontario's students are not meeting the basic standards in reading, writing and arithmetic.

1430

Minister, is he confused again? It is my understanding that this government has made considerable strides in education for the children of this province. Can you share with us and with the parents and students of Ontario what our government has done and is continuing to do to improve our education system?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I'm pleased to share with members of this House what we have undertaken. In response to the

public request for a tough new curriculum, and also that we would introduce new standards, our government has done exactly that.

Again, I would just emphasize today how pleased and proud we are to see the results, to see our students in this province meet those new standards and work toward accomplishment. Seventy-five per cent of all English-speaking students today were able to successfully pass the writing and reading test. This is very interesting, because Dalton McGuinty now has said that in four years, he'd like all students to achieve 75%. We've already achieved that target—

**The Speaker (Hon Gary Carr):** Minister, take your seat. Order. There are conversations going back and forth. I would ask all members, if you want to speak to each other, go outside. We don't need clarifications of questions and clarifications of answers. Go outside if you want to do that. We're on to the next question.

Supplementary. The member for Bramalea-Gore-Malton-Springdale.

**Mr Gill:** Thank you, Minister. That's wonderful. I knew Mr McGuinty had his facts wrong. Maybe it's Mr McGuinty who needs some remediation himself.

Ensuring our students meet the challenge of this tough new curriculum must be a priority, especially as we head into the 21st century. Success must be encouraged, supported and, most of all, nurtured. How is our government ensuring that students rise to this new challenge and how do we know they're succeeding?

**Hon Mrs Witmer:** The test is certainly an assurance to students that they're doing well. It's also an assurance to the employers, who know that these students have basic literacy skills.

I think I'd just like to share with you some of the results of the test: the Thames Valley board is up 10% over last year; in Sarnia, St Clair Catholic is up 8%—students have scored 74% this year; Lambton Kent, up 15%; Peel District, up 9%; London, 74% of the students passed.

I think you can see that the programs that have been put in place are helping students, but I think we also need to realize there are some students who are going to need additional help, and our government will continue to provide remediation programs in order to help those students achieve these targets.

Wonderful results for students, teachers and parents.

## NANTICOKE GENERATING STATION

**Mr James J. Bradley (St Catharines):** I have a question for the Minister of Energy. It's the minister who on June 6 during a debate said, "Ontarians want to receive their electricity from sources that don't damage their natural environment. We heard this back in the hearings on Bill 35. My constituents have spoken to me about this a good amount."

The same minister said, "Ontarians will not tolerate and should not have to suffer the consequences of those people who, whether for commercial or private or per-

sonal needs, want to abuse our environment.” He said, “This bill we’re debating is important to the environment. Ontarians have made it clear that they want to receive their electrical power in a manner that ensures that their environment is not damaged.”

In light of what the minister said in that debate on June 6, could he tell us how it is, then, that a Tory MPP says that Ontario Energy Minister John Baird is opposed to the government’s plan to close the Nanticoke coal-fired plant to combat air pollution?

Who is right? Is Toby Barrett right or is John Baird right?

**Hon John R. Baird (Minister of Energy, minister responsible for francophone affairs):** I strongly supported Bill 35 when it was introduced in this House back in 1998. It’s something different. I voted for Bill 35 on second and third reading. The member opposite and his caucus colleagues voted for the bill on second reading and against the bill on third reading. They flip-flopped.

If someone wanted to set up a windmill to generate power and put it on the grid, the member opposite would make that illegal, by his vote. If someone wanted to expand green power to put on the grid, like capping methane at a dump, the member opposite would make it illegal. That’s why we brought in Bill 35: to give consumers a choice to purchase green power.

I strongly support the measures to reduce emissions at Nanticoke. Some of it will be reduced by as much as 80%. I think that’s good for Ontario and good for the environment.

**Mr Bradley:** I see I’m having the same problem with you that the news media was having. The news media said, “Baird ... did not respond to requests for an interview this week. ‘He’s just not around,’ said his press secretary, Dan Miles.”

I know why he wasn’t around. It was because he’s in disagreement, or in agreement behind closed doors, with Mr Toby Barrett, a parliamentary assistant.

So I ask you the question again: it says in this article in the Spectator, “Barrett said this week Baird was supportive of his stand that the Lake Erie plant ... should remain open....”

“I very much appreciated the support I got from Minister Baird,” Barrett added.

“Barrett said he spoke to Baird about 10 days ago at a Sarnia caucus meeting ... and there was no mention by him about the 2015 closing date.”

Who is providing accurate information? Is it the member for Haldimand-Norfolk-Brant who is providing accurate information when he says that you oppose the closing of the coal-fired plant at Nanticoke, or is the Minister of the Environment providing accurate information when he says that’s government policy? Who is telling the truth?

**Hon Mr Baird:** The member for Haldimand-Norfolk-Brant is a wise and articulate member who works hard for his constituents.

I say to the member opposite, he is the one who both voted for and against Bill 35. But it gets worse, because

he disagreed with Dalton McGuinty. He said “2015” when he was a member of the alternative fuels committee, and Mr McGuinty says “2007.” I don’t know who’s on first and who’s on second over there.

I do know it’s important that we reduce emissions. I do believe it’s important that we continue to provide electricity to meet the needs of the people of the province of Ontario. I do believe it’s important to provide enough electricity so that the General Motors plant in St Catharines can continue to operate. I do think it’s important that we continue to have enough electricity in the province to supply working families and to provide hospitals with enough power.

As Minister of Energy, I can’t take supply for granted. It’s an important responsibility.

## TRANSPORTATION

**Mr Steve Gilchrist (Scarborough East):** My question is for the Minister of Transportation. Minister, as you well know, Ontario relies fundamentally on the export of goods and services. They bring in over \$190 billion a year to our province’s economy, which is fully 51%, and they support more than 1.6 million Ontario jobs.

Clearly, Ontario’s economy is dependent on the competitive success of our goods and services in the international marketplace. To maintain our competitiveness, Ontario needs a safe and efficient transportation network to keep that trade flowing. Traffic congestion in the greater Toronto area has certainly come to hinder that flow of trade and must be addressed. That’s why the Red Tape Commission, as you know, is gearing up to help you with something we call highway incident management.

What other actions has your ministry taken to combat GTA congestion and improve the efficiency of the region’s transportation network?

**Hon Norman W. Sterling (Minister of Transportation):** We have done a great, great deal in this province to address GTA congestion. Since 1995, our government has spent \$3.5 billion on the transportation systems right here in the GTA.

Presently, we’re rebuilding Highway 401. A lot of people don’t realize you spend a lot of money on rebuilding it. We’re spending \$401 million to build, rebuild, expand the 401, all the way in the west from Renforth Drive to the east at the Don Valley Parkway.

We are investing in GTA transit: \$1.25 billion in transit investment partnerships.

No government has ever spent this much money on transportation in this area. We will continue to do it because we recognize—

**The Speaker (Hon Gary Carr):** The minister’s time is up. Supplementary?

**Mr Gilchrist:** Thank you for that response. Clearly, one way to ease traffic congestion is to encourage people to leave their cars at home and take public transit. An increase in the use of public transit has the added benefit



of improving our air quality by cutting down on harmful vehicle emissions, as long as you don't have situations like we have in the city of Toronto where they're taking the money and buying 1960s vintage diesel buses from Montreal—Montreal's hand-me-downs.

1440

Notwithstanding the problem in Toronto, to accomplish the movement to public transit, obviously we have to make it more efficient and more accessible. Minister, this is going to require investment from both of the senior levels of government. What is the government's plan for improving public transit in this province and in the GTA?

**Hon Mr Sterling:** Again, we have made a tremendous commitment towards public transit in this province, \$3.25 billion over the next 10 years to spend on public transit alone. A couple of examples: \$12.8 million this year to spend in the city of Ottawa, 70 brand new buses. Earlier this morning my colleague Dianne Cunningham announced \$912,000 for the city of London to fund buses, bus services, a bus station and operational improvements.

The TTC here in Toronto received more than \$62 million in provincial funding for aging buses and subway cars. The Sheppard subway: this government has put \$800 million to \$900 million on the table to improve that. When you add these all together they far exceed the two cents per litre of gasoline that the Leader of the Opposition talks about.

**The Speaker:** New question. The member for Sault Ste Marie.

**Mr Tony Martin (Sault Ste Marie):** The fed hand giveth and the Tory hand claweth away.

## CHILD POVERTY

**Mr Tony Martin (Sault Ste Marie):** My question is for the Minister of Community, Family and Children's Services. Your policies continue to hurt the children who need our help the most. Nearly a decade ago, the federal NDP obtained a commitment from the Liberals and Conservatives in Ottawa to eliminate child poverty by the year 2000. Now, two years after that deadline, Jean Chrétien is hoping to play some catch-up. Rumours suggest that the federal government's speech from the throne will promise an infusion of new money into the national child benefit. But that benefit will never reach Ontario's poorest children as long as your government continues to claw that money back. It is 2002 and more children in Ontario are living in poverty than ever before. These children deserve a chance. Will you stop the clawback and give children on social assistance the money that is rightfully theirs?

**Hon Brenda Elliott (Minister of Community, Family and Children's Services):** Mr Speaker, I want to be very clear in answering the question to my colleague from the third party across the way. We want to do everything we can here in Ontario to make children thrive and grow. We don't want to see children or adults in poverty. We've

undertaken a number of initiatives to address the issue of poverty and try and reduce poverty in so many ways.

One of the things we have done is reform welfare to a jobs and opportunity strategy. Through the Ontario child care supplement we try to reinvest funding, as a result of the national child benefit program. I would remind my colleague across the way that the money from the national child benefit does go into municipal programs—they choose how those will be reinvested within their communities—and support programs such as Healthy Babies, Healthy Children, the Ontario Works child care and Learning, Earning and Parenting programs.

**Mr Martin:** So the answer is no. Clearly, you've been spending too much time at the Holiday Inn. Empty rhetoric won't fill the stomachs of hungry children.

Last week, Michael Prue, Marilyn Churley and I agreed to live the way your government expects people on social assistance to live. Like people living on social assistance, I had to find enough to eat with less than \$2 a day. Like people living on social assistance, hunger often drove me to distraction. How do you expect families to get back on their feet when they spend their days scrounging to find enough food to survive? How do you expect children to learn in school when they are too hungry to think?

Minister, we challenged the Premier last week, and I challenge you today. It is impossible for children to thrive on this income. I ask you again, will you please stop the clawback?

**Hon Mrs Elliott:** We have undertaken a number of strategies to try to reduce poverty in Ontario, some of them very strategic. You referenced the federal Liberal government. It is our government that has 375,000 families in Ontario who pay no income tax, yet the federal government taxes them. It is our government that has the lowest threshold for personal income tax. You forget to mention those issues.

To my colleague across the way in the New Democratic Party, in his riding the national child benefit clawback was reinvested in \$800,000 worth of programs in 1999 and 2000: child care centres for Ontario Works participants, community kitchens, breakfast programs for children, Healthy Babies, Healthy Children programs—the kinds of programs that benefit a broad number of children, not just individuals. Surely that's the goal for all of us.

## ACCESSIBILITY FOR THE DISABLED

**Mr George Smitherman (Toronto Centre-Rosedale):** My question is to the Minister of Citizenship, and I ask it on behalf of at least three of my constituents who are in the gallery today. Marie, Ken and Doreen joined me and about 40 other folks earlier today at a Pizza Pizza store on Parliament Street, of which I provided you with a picture.

My question is, how is it that after the Ontarians with Disabilities Act has been passed, Pizza Pizza can spend over half a million dollars to open a new store which is

basically at grade with three entrances, each of them allowing a six-inch lip to remain? When we approached Pizza Pizza and asked them why they didn't make it accessible, their answer was clear: it's because the law didn't make them do it.

This highlights the extent to which your bill is a scam, Mr Minister. In front of my constituents and all Ontarians, 1.9 million of whom have some disability, will you tell me and this House how in good faith you can continue to defend that bill, and will you bring in a bill that deals meaningfully with the challenges people are facing?

**Hon Carl DeFaria (Minister of Citizenship, minister responsible for seniors):** Our government is committed to ensuring that there is greater accessibility in Ontario and more independence for persons with disabilities. The Ontarians with Disabilities Act has been proclaimed. Most of the sections were proclaimed, effective today, and the act has regulation-making authority that gives the government the power to mandate changes.

Since the act was passed last year, we put in place a directorate in February. We also put in place the Accessibility Advisory Council of Ontario, and we have leading people in the disability community, such as Dave Shannon and Jeff Adams, as chair and co-chair of that council.

We are working with the private sector to ensure they understand their responsibilities and will continue to do so.

**The Speaker (Hon Gary Carr):** Supplementary?

**Mr Ernie Parsons (Prince Edward-Hastings):** My question is also to the minister. Please don't read back the standard answer; I want to hear what you really believe. You have the power to improve the quality of life of so many people in Ontario who have a disability. Please use that power positively.

Your government pledged during the ODA debate that there would be no new barriers, yet you condoned the firing of over 50 special education teachers in Ottawa. You pledged it would apply to private industry. These people don't get the \$2.1 million a year that the Premier's fundraiser gets. They can't do something as simple as go in and purchase a pizza. They don't even have the ability to do that, Minister.

You put in place an advisory committee. Good for you. Quoted in the paper Friday, one of them said, "I'm on this to try to make the government pass a meaningful Ontarians with Disabilities Act."

I urge you to follow the 13 principles. Minister, please listen to your heart, listen to your sense. There are no second-class citizens in Dalton McGuinty's Ontario; evidently there are in yours. You have the chance to change it now. Will you bring forth amendments that make a meaningful OD act that will improve the lives of these and thousands of others of our—

**The Speaker:** I'm afraid the member's time is up.

1450

**Hon Mr DeFaria:** Making Ontario more accessible is everyone's responsibility. It's the responsibility of the

municipal sector, the responsibility of provincial government and the responsibility of the private sector.

Our government has invested \$209,000 toward the development of customer service standards with the Canadian Standards Association. For the first time, the business community has a resource for providing voluntary quality customer service for the disabled community.

Our government is the government that passed the ODA. When the other government was in power, they did not pass any legislation to protect Ontarians with disabilities. The federal government has not done anything in this area. We have acted and you have not.

#### NORTHERN HIGHWAY IMPROVEMENT

**Mr AL McDonald (Nipissing):** My question is for the Minister of Northern Development and Mines. Coming from a northern riding myself, I know the vital role a well-maintained northern highway system plays in the economy of our area. As the MPP for Nipissing, I drive Highway 11 every weekend. There are only about 50 kilometres left to complete the four-laning and I understand our government's commitment to finish that as soon as possible. Minister, what other good news can you share with us regarding our northern highway system?

**Hon Jim Wilson (Minister of Northern Development and Mines):** I thank the honourable member for the question. In August I had the pleasure of travelling to Timmins, Sioux Lookout and Hudson to announce this year's funding under the northern Ontario highways program. This year our government will invest more than \$255 million in northern highway infrastructure. When combined with over \$1.5 billion spent from 1995 to 2001, our government's total spending on northern highways has risen to over \$1.63 billion, an unprecedented amount. This impressive record will continue. These investments reflect the priority this government has placed on improving northern highways after years of underfunding by the Liberals and the NDP.

While I appreciate that there are demands to build new highways in certain areas of the north, our current priority is to upgrade the existing highway system, like Highways 69 and 11. The Ministry of Transportation will continue to monitor patterns on our highways, and we're always prepared to review situations should the circumstances change.

**Mr McDonald:** Thank you, Minister, for your answer. I applaud the good work our government is doing to foster long-term stability and prosperity in the north. Minister Wilson, you've been a great friend to northern Ontario.

Over the summer I noticed the issue of four-laning was on the minds of people across the north. What are our government's plans for four-laning in the north?

**Hon Mr Wilson:** As the Premier has stated, our government is committed to four-laning Highway 69 north of Parry Sound. The engineering and property acquisition phase is now underway for the new 20-kilometre, four-



lane Highway 69 corridor south of Sudbury. Once this process is complete, we will be better able to set a timeline for the actual construction of the project.

The entire Sudbury region also benefits from the unprecedented progress that is underway toward four-laning Highway 69 south of Parry Sound where traffic volumes are greatest. Last year, about \$106 million was spent on four-laning Highway 69 south of Parry Sound, and we were pleased to open the \$72-million Parry Sound bypass last November.

Work is underway on four contracts valued at over \$140 million to complete the remaining 30 kilometres of construction between MacTier and the new Parry Sound bypass. Once again, it's a record amount of money spent on northern highways, something that should put the Liberals and NDP to shame for the paltry amounts of money they spent for northerners and to make sure our roads are safe and efficient for transportation in northern Ontario.

### SLOT MACHINES

**Mr Monte Kwinter (York Centre):** My question is for the Attorney General. Minister, I'd like to return to the Picov Downs issue. Last week, we learned that a decision has been made to allow Picov Downs to have slot machines. On April 10, 2002, that decision was communicated to Picov Downs by Minister Hudak. Shortly afterwards, Minister Ecker announced the decision to citizens in her riding.

The only decision that is not yet to be announced is the number of slot machines they will be allocated. Last week you stated that they may get none, one, two, or 799. Industry sources say that less than 100 machines is not viable. Given that the only viable option you have is to give Picov Downs none or a number between 100 and 800, could you tell us what is going to influence that decision?

**Hon David Young (Attorney General, minister responsible for native affairs):** Indeed the member did ask some questions last week. He prefaced his question last week by saying the government announced our three-year plan for gaming in Ontario. He went on to say—and this is quoting from a time in April 2000—that it was a three-year moratorium that would apply to new slot machines at horse tracks. That's what he said. At the time, I assumed the member perhaps was well informed; I've since been advised otherwise. Indeed, it was a two-year moratorium.

If there is any doubt about that, he should look at the horse racing association's correspondence with reference to this issue. I would refer him in particular to a letter dated July 21, 2000, in which Jane Holmes clearly indicates that it is a two-year pause. That's straight from the horse's mouth.

**Mr Kwinter:** The minister went to great pains not to answer my question. The racetrack slot machine initiative was reached in consultation with the Ontario Horse Racing Industry Association, and that association wrote

to the government—the same Jane Holmes—saying that it seems incomprehensible that Picov Downs may be allocated 800 slot machines. Dresden, Clinton, Hanover, the smallest standard-bred tracks in Ontario, have been allocated 100 machines each and they are all many times greater in size and economic activity than Picov Downs. Industry sources also state that 100 slot machines is about 10 times the number warranted, given the level of betting activity at Picov Downs.

Mr Minister, could you assure us today that allocations of slot machines to Picov Downs will be based on the same criteria as other tracks in Ontario and that the process will not be perverted by political influence or campaign contributions?

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. The Attorney General has the floor.

**Hon Mr Young:** Yes.

### MOOSE POACHING

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I have a question for the Minister of Natural Resources. Earlier this month you announced the launch of Moose Watch, the annual enforcement program here in Ontario. Minister, in my riding of Haldimand-Norfolk-Brant—and I'm sure it is the case in your riding as well—we have a long tradition of hunters heading north. Friends of mine are heading up in the next few weeks. Could you explain to us in the House today and, further, to hunters in my riding what Moose Watch is and why we have initiated it?

**Hon Jerry J. Ouellette (Minister of Natural Resources):** I thank the member for Haldimand-Norfolk-Brant for the question. Here in Ontario I and the ministry take moose poaching very seriously. That's why I was pleased to announce earlier this month the 2002 continuation of Moose Watch.

Moose Watch is a high-profile enforcement program to assist conservation officers in dealing with and reducing the number of illegally killed moose. The program was designed to increase public awareness, to provide a toll-free, 24-hour violation reporting system and to enhance enforcement efforts.

The reason the program was initiated was that during the period from 1997 to 1999, conservation officers in the northeast region found 416 illegally killed moose, which we at the ministry find completely unacceptable. So a proactive public education and enforcement program began in 2000 and was immediately successful in reducing the number of illegally hunted moose.

1500

**Mr Barrett:** Thank you for the explanation, Minister. I've had a chance to speak with the conservation officers involved with Moose Watch. I understand the need for and the value of this program. Moose poaching is a serious issue, and protecting the resource is a responsibility of all of us.

There are hunters in my riding who may be concerned about the impact of this on the sport and on the perception of hunting in general. Will this program in any way portray hunters as poachers? I'm concerned about the perception this may put on good, law-abiding hunters in the province of Ontario.

**Hon Mr Ouellette:** Clearly the answer is no. One of our main goals is to work closely with our stakeholders to make the program run as smoothly and as effectively as possible. A lot of these individuals are the individuals participating in the Moose Watch program. The outdoor community wants to see an end to the illegal hunting, the same as all others throughout the province. Our top priority is to have a strong working relationship with them. The success of the program to date relies largely on their support, and I'm happy to report that with the great support of our partners and the public, hundreds of calls are made each year to the violation reporting lines, and all indications suggest that our clients and the public have enthusiastically accepted the program. In the northeast region alone, we have seen declines in illegally killed moose from 168 in 1999 to 137 in 2000, and down to 102 in 2001. With results like that, we are moving in the right direction.

#### HYDRO RATES

**Mr Michael Prue (Beaches-East York):** My question is to the Minister of Energy. It is reported in today's paper that the hydro rate is going to be dumped in 17 rural and northern communities. You have stated today in this House that that may not be correct. My question to you is, is it correct? If it is not correct, are you going to assuage the fears of those communities and tell them that in fact the rate is not coming? And if it is correct, why are you letting these communities shoulder yet another hydro rate increase?

**Hon John R. Baird (Minister of Energy, minister responsible for francophone affairs):** The member opposite referred to a letter that I read into the record with respect to distribution rates. Hydro One, as do all distribution companies, has to make from time to time, as a course of regular business, application to the Ontario Energy Board. Prior to doing that, they thought it was best to consult with stakeholders, to consult with affected communities and to consult with customers. That's what they are doing. Nowhere in that proposal have they proposed a specific rate or timetable with respect to harmonization.

There are more than 87 different rate categories across that company's local distribution rates, something that it would seem to me it would only make good sense to look at and consult on before any proposals were even developed.

**Mr Prue:** The reeve of Michipicoten was here this morning talking to people in the Legislature. He has complained about a 44% increase in hydro costs in his community, but he has also talked about the 47% reduction in his tax base because the right to levy taxes

on hydroelectric plants was taken away by your government. I grant you that some provincial help went back, but not enough, because in that community last year there was a 5% tax increase; this year there is a 6% local tax increase just to bring them back to the same level.

Why are you hammering these small communities as you pursue your privatization-of-hydro dirty deal?

**Hon Mr Baird:** There was a policy, as the member knows, with respect to taxation of hydroelectric. I suppose it's difficult; you can't win. You can't use nuclear. The NDP is now suggesting you can't use hydroelectric. You can't use coal. If we followed the consistent line of that policy, we'd have no electricity in the province.

Hydro One is going out to consult. They have no proposal on the table. Before they make a rate application, as do all other local distribution companies—Tom Parkinson, the president and chief operating officer, wrote to me earlier today saying, "I am writing to you regarding a media report this morning that indicated that Hydro One was proposing a 40% increase for some of its customers' distribution rates. I want to assure you that this report is categorically false."

#### PETITIONS

##### HIGHWAY 69

**Mr Rick Bartolucci (Sudbury):** This petition is to the Legislative Assembly of Ontario. It says:

"Whereas modern highways are economic lifelines for the north; and

"Whereas the stretch of Highway 69 from Sudbury south to Parry Sound is a treacherous road with a trail of death and destruction; and"

Whereas 46 people have been killed on that highway in the last three years; and

Whereas 10 people have died on Highway 69 between Sudbury and Parry Sound so far this year alone; and

"Whereas the carnage on Highway 69 has been staggering; and

"Whereas the Harris-Eves government has shown gross irresponsibility in not four-laning the stretch of Highway 69 between Sudbury and Parry Sound; and

"Whereas immediate action is needed to prevent more needless loss of life; and

"Whereas it is the responsibility of a government to provide safe roads for its citizens, and the Eves government has failed to do so;

"Be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to urge the Eves government to begin construction immediately and four-lane Highway 69 between Sudbury and Parry Sound so that the carnage on Death Road North will cease."

I sign this petition. I give it to Kevin to bring to the table as part of the 20,000-name petition I will be submitting on this stretch of highway.



## LONG-TERM CARE

**Ms Shelley Martel (Nickel Belt):** I have a number of petitions that were sent to me this summer from the following organizations: the Ontario Coalition of Senior Citizens' Organizations; Stella Mostacci of Timmins; and Tony Giovino of Welland. It reads as follows:

"Whereas the Conservative government increased fees paid by Ontario seniors and other vulnerable people living in long-term-care facilities by 15% instead of providing adequate government funding for long-term care; and

"Whereas the Conservative government has therefore shifted the cost of long-term care on to the backs of the frail elderly and their families; and

"Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

"Whereas in 1996 Ontario abandoned its minimum requirement of 2.25 hours of nursing care per nursing home resident; and

"Whereas the government's own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

"Whereas, according to the government's own study, government cutbacks have resulted in Ontario seniors receiving just 14 minutes a day of care from a registered nurse...;

"Whereas the report also found that Ontario residents receive the least nursing, bathing and general care of nine other comparable locations;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Conservative government eliminate the 15% fee increase for residents of long-term-care facilities, increase the number of nursing hours for each resident to a minimum of 3.5 hours per day, and provide stable, increased funding to ensure quality care is there for Ontario residents of long-term-care facilities."

I agree with the petitioners and I've affixed my signature to this.

ONTARIO DISABILITY  
SUPPORT PROGRAM

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the federal government of Canada has given a yearly increase in disability pensions geared to inflation, and the Ontario government, through the disability support program, has clawed this amount back;

"Therefore we, the undersigned people of Ontario, petition the Ontario Legislature to remove the cap on the disability support program."

This petition is signed by large numbers of people from across northwestern Ontario who share this concern.

## NATURAL GAS RATES

**Mr Steve Peters (Elgin-Middlesex-London):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the Ontario Energy Board has consented to allow Union Gas to retroactively charge \$40 per month for a three-month period to recover additional system operation costs that occurred during the winter of 2000-01 totalling approximately \$150 million; and

"Whereas Union Gas will recover accrued costs over the peak heating season, causing undue hardship; and

"Whereas this retroactive charge will affect all customers who receive Union Gas, including new homeowners and new customers to Union Gas;

"Therefore, be it resolved that we, the undersigned, demand that the Ernie Eves government issue a policy directive under section 27.1 of the Ontario Energy Board Act disallowing the retroactive hike granted to Union Gas; and we further demand that the Legislature examine the Ontario Energy Board, its processes and its resources, and make changes that will protect consumers from further retroactive rate increases."

I'm in full agreement and have signed my name to this petition.

NATIONAL CHILD BENEFIT  
SUPPLEMENT

**Mr Tony Martin (Sault Ste Marie):** "Whereas one in five children in Ontario live in poverty; and

"Whereas, as part of the national child tax benefit program, the federal government gives a supplement to low-income families across the country to begin to address child poverty; and

"Whereas that money, up to approximately \$100 a month per child, is meant to give our poorest and most vulnerable children a better chance in life;

"Whereas in Ontario the Conservative government deducts the child benefit supplement dollar for dollar from those living on social assistance;

"Whereas this is leaving our province's neediest children without extra money they desperately need to begin their climb out of poverty;

"Whereas all children are entitled to a fair chance at life;

"Therefore be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to demand that the government of Ontario stop the clawback of the national child tax benefit supplement and ensure this federal money reaches all low-income families in Ontario."

These over 500 names are added to the over 7,000 I've already submitted, and I add my name to it.

1510

## NATURAL GAS RATES

**Mr Dwight Duncan (Windsor-St Clair):** On behalf of CAW local 444 and its president, Ken Lewenza, I

present the following petition that was taken up at a rally they had this afternoon.

"Whereas the Ontario Energy Board has consented to allow Union Gas to retroactively charge \$40 per month for a three-month period to recover additional system operation costs that occurred during the winter of 2000-01 totalling approximately \$150 million; and

"Whereas Union Gas will recover accrued costs over the peak heating season, causing undue hardship; and

"Whereas this retroactive charge will affect all customers who receive Union Gas, including new homeowners and new customers to Union Gas;

"Therefore we demand that the Ernie Eves government issue a policy directive under section 27.1 of the Ontario Energy Board Act disallowing the retroactive rate hike granted to Union Gas, and we further demand that the Legislature examine the Ontario Energy Board, its processes and its resources, and make changes that will protect consumers from further retroactive increases."

I'm pleased, as I have in the past, to affix my signature to this petition.

#### LONG-TERM CARE

**Ms Shelley Martel (Nickel Belt):** I have a petition sent to me this summer from Foyer Richelieu in Welland, the Association of Jewish Seniors in Toronto, and Woodingford Lodge Family Council in Woodstock. It reads as follows:

"Whereas the Conservative government increased fees paid by Ontario seniors and other vulnerable people living in long-term-care facilities by 15% ... instead of providing adequate government funding for long-term care; and

"Whereas the Conservative government has therefore shifted the cost of long-term care on to the backs of the frail elderly and their families; and

"Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

"Whereas in 1996 Ontario abandoned its minimum requirement of 2.25 hours of nursing care per nursing home resident; and

"Whereas the government's own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

"Whereas according to the government's own study, government cutbacks have resulted in Ontario seniors receiving just 14 minutes a day of care from a registered nurse...; and

"Whereas the report also found that Ontario residents receive the least nursing, bathing and general care of nine other comparable locations;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Conservative government eliminate the 15% fee increase for residents of long-term-care facilities, increase the number of nursing care hours for residents to a minimum of 3.5 hours per day and provide

stable, increased funding to ensure quality care is there for Ontario residents of long-term-care facilities."

I agree with the petitioners, and I've affixed my signature to it.

#### AFFORDABLE HOUSING

**Mr David Caplan (Don Valley East):** I have a petition entitled Fair Rent Increase Now.

"To the Legislative Assembly of Ontario:

"Whereas the number of tenants receiving above-guideline increases is growing exponentially; and

"Whereas many of these increases are for increases in utility costs, many of which have gone down since; and

"Whereas tenants should not have to pay for improvements forever, even when the costs have been realized by these rent increases; and

"Whereas the Tenant Protection Act does not give a tenant relief due to the costs being realized or a drop in utility costs; and

"Whereas tenants should not be receiving rent increases where there are work orders" outstanding "for the building" they live in;

"Therefore be it resolved that we, the undersigned, petition the Ontario Legislature to immediately pass MPP David Caplan's Bill 134 entitled the Fair Rent Increases Act at the earliest possible opportunity so that tenants can get relief from above-guideline increases once the bills have been paid."

I agree with the petition, and I have signed my name to it.

#### LONG-TERM CARE

**Ms Shelley Martel (Nickel Belt):** I have a petition that's been sent to me by Betty Gurland of North York. It reads as follows:

"Whereas the daily increase of \$7.02 starting August 1, 2002, for residents in long-term-care facilities is not in keeping with the increases of prior years;

"Whereas this large increase in rates is a severe financial burden to residents and to family caregivers to maintain a loved one in a long-term-care facility and maintain themselves in order not to ask the government for financial assistance;

"Therefore we, the undersigned, petition the Legislature of Ontario to repeal this large increase and reduce the rates to a nominal increase as in prior years."

I agree with the petitioners, and I've affixed my signature to it.

#### HIGHWAY 69

**Mr Rick Bartolucci (Sudbury):** This is a petition to the Legislative Assembly of Ontario. It was submitted to me by Alex McCauley from Nickel Belt:

"Whereas modern highways are economic lifelines for the north; and



"Whereas the stretch of Highway 69 from Sudbury south to Parry Sound is a treacherous road with a trail of death and destruction; and

"Whereas the carnage on Highway 69 has been staggering; and"

Whereas 46 people have died in the last three years on that stretch of highway; and

Whereas 10 people have died so far this year on that stretch of highway between Sudbury and Parry Sound; and

"Whereas the Harris-Eves government has shown gross irresponsibility in not four-laning the stretch of Highway 69 between Sudbury and Parry Sound; and

"Whereas immediate action is needed to prevent more needless loss of life; and

"Whereas it is the responsibility of a government to provide safe roads for its citizens, and the"—Harris—"Eves government has failed to do so;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to urge the Eves government to begin construction immediately and four-lane Highway 69 between Sudbury and Parry Sound so that the carnage on Death Road North will cease."

I affix my signature and give it Rachel to bring to the front desk.

#### LONG-TERM CARE

**Ms Shelley Martel (Nickel Belt):** I have some petitions that were sent to me by Tom and Opal Zaitz of Hillsdale Crescent in Sudbury and Muriel Mogensen of RoseMarie Street in Sudbury. They read as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Conservative government increased fees paid by Ontario seniors and other vulnerable people living in long-term-care facilities by 15% ... instead of providing adequate government funding for"—people in—"long-term care;

"Whereas the Conservative government has therefore shifted the cost of long-term care on to the backs of the frail elderly and their families;

"Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario;

"Whereas in 1996 Ontario abandoned its minimum requirement of 2.25 hours of nursing care per nursing home resident;

"Whereas the government's own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day;

"Whereas, according to the government's own study, government cutbacks have resulted in Ontario seniors receiving just 14 minutes a day of care from a registered nurse ...; and

"Whereas the report also found that Ontario residents receive the least nursing, bathing and general care of nine other comparable locations;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:"

We demand "the Conservative government eliminate the 15% fee increase for residents of long-term-care facilities, increase the number of nursing care hours for each resident to a minimum of 3.5 hours per day, and provide stable, increased funding to ensure quality care is there for Ontario residents of long-term care facilities."

I agree with the petitioners and I've affixed my signature to it.

**Mr Steve Peters (Elgin-Middlesex-London):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the Eves government has increased the fees paid by seniors and the most vulnerable living in long-term-care facilities by 15% over three years ...; and

"Whereas this fee increase will cost seniors and our most vulnerable more than \$200 a month after three years; and

"Whereas this increase is above the rent increase guidelines for tenants in the province of Ontario for 2002;

"Whereas, according to the government's own funded study, Ontario will still rank last amongst comparable jurisdictions in the amount of time provided to a resident for nursing and personal care; and

"Whereas the long-term-care funding partnership has been based on government accepting the responsibility to fund the care and services that residents need; and

"Whereas government needs to increase long-term-care funding ... over the next three years to raise the level of service for ... long-term-care residents to those in Saskatchewan ...; and

"Whereas this province has been built by seniors who should be able to live out their lives with dignity, respect and in comfort in this province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Demand that"—the Eves government—"reduce the 15% increase ... to no more than the cost of living increase annually and that the provincial government provide adequate funding for nursing and personal care to a level that is at least at the average standard for nursing and personal care in those 10 jurisdictions included in the government's own study."

I'm in full agreement and have signed this petition.

1520

#### OHIP SERVICES

**Ms Shelley Martel (Nickel Belt):** I have a final petition sent to me from Newmarket, Ontario. It reads as follows:

"Whereas the Harris government's decision to delist hearing aid evaluation and re-evaluation from OHIP coverage will lead to untreated hearing loss; and

"Whereas these restrictions will cut off access to diagnostic hearing tests, especially in geographic regions of the province already experiencing difficulties due to shortages of specialty physicians;

"Whereas OHIP will no longer cover the cost of miscellaneous therapeutic procedures, including physical therapy and therapeutic exercise; and

"Whereas services no longer covered by OHIP may include thermal therapy, ultrasound therapy, hydrotherapy, massage therapy, electrotherapy, magnetotherapy and biofeedback; and

"Whereas one of the few publicly covered alternatives includes hospital outpatient clinics where waiting lists for such services are up to six months long; and

"Whereas delisting these services will have a detrimental effect on the health of all Ontarians, especially seniors, children, hearing-impaired people and industrial workers; and

"Whereas the government has already delisted \$100 million worth of OHIP services,

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to immediately restore OHIP coverage for these delisted services."

I agree with the petitioners, and I've signed my name to this.

## ORDERS OF THE DAY

### TIME ALLOCATION

**Mr Doug Galt (Minister without Portfolio):** Government notice of motion 37.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: Where's the quorum?

**The Speaker (Hon Gary Carr):** I'll ask the Clerk to see if there's a quorum.

**Clerk Assistant (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Speaker ordered the bells rung.*

**Clerk Assistant:** A quorum is now present, Speaker.

**The Speaker:** The chief government whip.

**Hon Mr Galt:** That pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 131, An Act to facilitate the making, recognition and variation of interjurisdictional support orders, when Bill 131 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill, without further debate or amendment, at such time the bill shall be ordered for third reading, which order may be called on that same day; and

That when the order for third reading is called, the Speaker shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

That the vote on second and third reading may, pursuant to standing order 28(h), be deferred; and

That in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

**The Speaker:** Mr Galt has moved that pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 131,—

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** Dispense.

**The Speaker:** Dispense?

**Mr Kormos:** No.

**The Speaker:** No? No dispense—An Act to facilitate the making, recognition and variation of interjurisdictional support orders, when Bill 131 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill, without further debate or amendment, at such time the bill shall be ordered for third reading, which order may be called on that same day; and

That when the order for third reading is called, the Speaker shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

That the vote on second and third reading may, pursuant to standing order 28(h), be deferred; and

That in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

Debate?

**Mr Michael Bryant (St Paul's):** In speaking to this bill and this particular time allocation motion—guillotine motion—I want to say that the announcement today, which was not brought to the floor of the House, with respect to the Legal Aid Services Amendment Act directly impacts upon this bill in this sense: as we've said before, and we're in agreement, we support this bill. Of course we support this bill, but we cannot—the bill I'm referring to that we support is the bill that's before the House, not the Legal Aid Services Amendment Act—

**Mr Kormos:** And not this motion.

**Mr Bryant:** And not this motion. This is a guillotine motion. We want more debate, not less debate.

And along those lines, I would just say, with respect to the Legal Aid Services Amendment Act, with respect to this public defender's office bill, I would urge the Attorney General to take this to committee now.

This is one of those bills, particularly in the circumstances, which needs to be taken to committee now—not after second reading, after first reading, because this announcement comes right out of right field. There were negotiations and efforts being undertaken between the law society and various other partners in the government of Ontario. There were discussions underway to try and resolve the impasse, and out of nowhere this announcement is made.

This is, I would respectfully submit to the Attorney General, a far more radical departure from our current system of criminal justice and family law representation than may have been originally envisioned. In fact under this bill, with everything handed off to regulation, we may have the Americanization of our legal defence system. That just means one thing: the American experi-



ence has been that caseloads are so high that they become a plea-bargain factory.

Similarly, the purpose of the bill before us right now, the interjurisdictional support bill, is in fact to give legal remedies to those who could not otherwise enforce a bill because the deadbeat dad or the deadbeat spouse has moved out of the jurisdiction, but you need assistance in order to enforce those orders. If a family cannot afford assistance, where are they going to go? If they have to go off to an office that is so overburdened that the scales of justice are tipped in favour of, in this case, the deadbeat dad or the deadbeat spouse, that's no justice at all.

This new bill, I fear, makes it official. The public defender's office bill makes it official. A justice system, once the envy of the nation, is now institutionalizing a two-tier system. The politics of crime and justice right now are really that the elected devote most of their energies toward protecting our electors from crime, criminals and injustice. That's the politics of crime and justice in Ontario today, and we do so in the name of livable communities. But we do so on the working assumption that we have an impartial justice system that is protecting the vulnerable from injustice. We fight for livable communities assuming that those facing the criminal justice system are going to get a fair trial. They're going to be treated as innocents until proven guilty. They'll get due process; that is, process due to a citizenry in a just democracy.

Those assumptions that we base our fight for livable communities on, those assumptions about our impartial justice system, have been rocked as of late. Our justice system in Ontario appears to be on its knees, with criminal cases thrown out because of chronic delays; families who cannot afford legal representation over custody battles and support payments getting no help at all; judges seeking to lend order to the chaos of legal aid shortages with random results obtaining across the province; in short, a two-tier justice system, brutally unaffordable for the vast majority of citizens.

Let's not fool ourselves. The two-tier justice system is in existence. If you have the resources, you can get the legal dream team, get the representation and, in some cases, get off. If you don't have the resources, then in the civil courts there's nowhere to go. There really is no legal aid other than for family law matters in the civil courts.

One remedy is the legalization and regulation of contingency fees, which I'll speak upon in a moment, the subject of a private member's bill I introduced that's coming up for debate in a couple of weeks.

But when it comes to the criminal law system and our family law system, when it comes to the right to a fair hearing for family matters of custody and support, the right to a fair trial, these are rights we hold sacred. We take these rights for granted in our democracy; we do, because for years, governments past ensured that the resources were there so that those who simply cannot afford any representation will get the assistance they need. That's no longer so. After seven years of governance by Mike Harris and Ernie Eves, our system of

justice is the worse for wear. Rather than delivering more for less, as promised, we just get less for less and I am concerned that the public defender's office bill will legislate that reality.

1530

The legal aid certificate system permitted the poor to access legal representation that they could not otherwise possibly afford. That was the purpose of the system. Sixty per cent of lawyers offering legal aid have more than a decade's experience. The economics of the legal aid system was that those experienced lawyers could offer in one hour what an inexperienced lawyer could not offer in 10 hours. Those are the economics of the system. Two hours of their time to the system, in many cases, was like 20 hours from a junior lawyer who had no experience. All that is being thrown out today, we fear. The government is throwing the baby out with the bathwater, abandoning a system that needs reforms but not the obliteration of the certificate system.

This new, diluted system of a public defender's office—again, our concern is that it may end up actually costing more at the end of the day. The economics of tossing out the efficiencies of experienced representation in exchange for inexperienced staff lawyers with an enormous caseload is precarious at best, and we'll obviously be looking for answers from the government in this regard.

Unworkable caseloads also mean that our public defender's office could become a plea-bargain factory. Those on the edge of a criminal underclass who cannot afford counsel will be tossed into the revolving door of the criminal justice system, and then we've lost them.

The public's confidence in our criminal justice system also inevitably is going to be shaken in terms of the independence of the system. With the government now paying the salaries of both the prosecutors and the defenders, the appearance may be that the public defender won't want to bite the hand that feeds him or her. When it comes to matters of the criminal justice system, it is necessary not only that justice be done but that it be seen to be done. We'll be looking to the government for answers to ensure this independence.

As members of this House will know, the principle upon which the legal aid certificate system was based was the principle of equal access to justice. The scales of justice for criminal justice matters and family law matters were considered just too important to leave to the marketplace alone. You can't just let those who have money have access to justice on matters as critical as one's liberty, custody and other family law matters. So while we obviously needed a robust and appropriately funded prosecution office, we had to balance the scales of justice and ensure that we didn't have, in effect, the Canadian Olympic hockey team taking on the junior varsity team. We needed to ensure that on the other side there were people with experience. But many, many Ontarians just can't afford those people with experience—like it or not, cannot afford it. So we created a system of legal aid certificates, some duty counsel, to try and right that imbalance. It remains an imbalance.

How are we going to fix it? Many experts have recommended what they call "alternative service delivery systems," which is a nice way of saying, "experimenting with different ways of providing that representation." The experience in the United Kingdom is very positive on that front. But in the UK, there was an overwhelming focus on quality of representation, an overwhelming focus on ensuring that the people in public defenders' offices and duty counsel and otherwise were meeting a certain level of service.

The American experience has been the opposite. Because it is purely a bottom-line-driven process, it is inevitably the more underfunded office. The caseload is unworkable and the plea bargains abound.

Again, the politics of this is obvious. I understand that nobody wants public dollars going off to lawyers. We get that. We all get that. But we operate and fight for livable communities based on the assumption that we do have a system of democracy, protected by a constitution that ensures that our fundamental freedoms are protected. Those rights are worthless without remedies. Those remedies for the indigent mean a right to fair trial with counsel. It means you're not on your own. And it is that principle that is at stake here.

It may be unpopular to say that we need to protect those liberties. It may be unfashionable to say that we need to protect those liberties. It may be easy to look at the budget that's involved here and say, "Oh well, this is just about trying to get more for less."

But these are the principles that ground any system of justice. It is a given that you are not going to have a system as we did, really, centuries ago, where only the wealthy used the courts. In this case, for years governments have committed themselves, whether it was politically popular or not, to protect the rights of those who cannot afford access to justice. That's the principle at stake here today. That's why the government needs to spend as much time as possible—I wish it had before it introduced this bill, but in any event it has; that is done—consulting with all of the stakeholders, with people who are working in this system and can tell you what is going on.

The minister says the system is in a state that, in some ways, cannot get any worse, and he's right. In areas like Brockville, it can't get much worse. But let's be clear. If that is the case, then he has to be held to account for the damage that's been done. If our justice system is on its knees, the Attorney General cannot show up today as if the Harris-Eves government has not been in power for the last seven years.

The government has to remedy this without crushing the system even further. We can't have even more cases being thrown out. We can't have even more people getting inadequate representation. The principles at stake are just too important.

On the civil side there's, as I've said, no access to justice, except in the very few instances in which a family law matter is covered by legal aid. One remedy for that has been undertaken by every single province in

the country: contingency fees, the idea that an unaffordable case will become affordable because the lawyer will bear the burden of the risk. That, up until now, has not been permitted in Ontario. The Ontario Court of Appeal recently ruled that, in fact, the common law does not prohibit contingency fees.

Interestingly, the Attorney General's position at the time that my private member's bill was introduced regulating and legalizing contingency fees was that it would be, I think he said, foolhardy to take a position on that bill until it went to the courts. I actually agree that my private member's bill ought not to have, and therefore I did not bring it forward for debate until the Ontario Court of Appeal had ruled on the matter.

1540

So I'm looking forward to working with the Attorney General on the issue of contingency fees, because those will provide access to justice not only to the indigent or those who simply cannot afford our legal system; they will provide access to justice for all Ontarians—all Ontarians—on civil matters, doing justice that would otherwise be unaffordable and getting the job done.

I will just say again in closing that we support the interjurisdictional support orders bill; of course we do. We regret that we have another guillotine motion in front of us.

**Mr Mario Sergio (York West):** On a point of order, Speaker: I've been trying to get some water, but it smells so awful. It's so fishy smelling. Am I the only one here noticing this in the water? I wonder if we can look into it and get some decent water in here. I would appreciate it.

**The Deputy Speaker (Mr David Christopherson):** I'll ask the table to look into it, and we'll get back to you. I'm not hearing anybody else having a problem, but we'll take a look at it.

Please continue.

**Mr Bryant:** Can you blame him?

**Hon Mr Stockwell:** Something's fishy about the speaker.

**The Deputy Speaker:** Order. I think I caught the last part.

**Hon Mr Stockwell:** Not you, Speaker.

**The Deputy Speaker:** Oh, I see. That speaker. The member for St Paul's.

**Mr Bryant:** Right now in areas all over Ontario, we have counsel, accused, those seeking relief from our family law courts, in the midst of a chaotic dialogue—a nice way of putting it; debate, perhaps—on exactly what we do about somebody who is before the court unrepresented. They are facing a situation where counsel is expressing the concern about lack of funding for access to justice by saying, "We cannot proceed under the status quo." In many cases, judges are agreeing with counsel and making orders in this chaos to try to lend order to the matter.

In the midst of all that, we have stoppages in parts all over the province. Many of the people participating in these stoppages are doing so in support of their colleagues and in support of the principle that we have to



provide access to justice to those who cannot afford our system, who find themselves either before the criminal justice system or before our family law system without any representation. It is difficult to say which is more important; it really is.

To think that people are appearing before the courts on matters that fundamentally affect the future of their families—custodial support, custody, spousal support—and they carry with them for the rest of their lives, for the rest of their lives, decisions that are made at that time. These hearings have such an impact on their lives that they desperately need representation and assistance, because almost all of them are appearing before the court unaware of exactly how the family law system works.

On the other side, often they find themselves against Goliath: robust, heavily funded counsel for the other side in family law matters, who are able not so much to take advantage of the system, but to exact a result that is in the best interests of their client. But we also need to provide representation for those who cannot currently afford our system, so that they can obtain the best result in the interests of their client.

I have much more to say on this, but I will cease and desist now.

**The Deputy Speaker:** Further debate?

**Mr Kormos:** Thank you kindly, Speaker. There's a time allocation motion. We've been here but a week, a mere—

**Mr James J. Bradley (St Catharines):** How's the water?

**Mr Kormos:** My water's fine. I suggest to the member who complained about the water that it may not be water. The examination should be not as to whether or not the water is fishy, but as to whether or not it's water. I'm simply indicating it's one of the things that should be considered. My water's fine.

There's another time allocation motion. You know, all of us were back home in our ridings on the weekend. Yesterday I was over at the Hungarian Presbyterian Church down on Second Street, and one Reverend Maria Papp. The place was packed because it was the end of their 75th anniversary celebrations, and the one most frequent query put to me by folks in that church basement was their hydro rates. The second was, why is this Conservative government doing everything it can to frustrate and curb and indeed not only inhibit but block debate? Folks over at the Hungarian Presbyterian Church.

On Saturday—Jim Bradley was there too—we were at the grape and wine festival parade. Thousands of folks lining the streets of downtown St Catharines. I made a point of trying to say hello to as many of them as possible before the parade started. The single most frequent comment to me—and I think Mr Bradley is going to speak to this time allocation motion; he can either confirm that that was his experience as well—was about electricity rates. The second most frequent was, why is this Conservative government so hell bent on eliminating debate in the chamber? I'm telling you,

retirees, students, factory workers, truckers, mariners, were saying, "Why does this Conservative government dislike bills being debated as much as it clearly does? Why does it introduce a time allocation motion on"—not virtually, but I put to you, when we take a look at the record, darn near literally—"every bill this House has had put before it?"

What's interesting about 131, as you heard from both opposition parties, is that there's general support for Bill 131. Let's understand this. I've listened to some of the government members' speeches, and I understand that they aren't inclined to read the legislation they debate. I understand that. But let's make it perfectly clear: we've had reciprocal enforcement of maintenance orders legislation in this province since at least 1948. We have. There's nothing novel here. The Tories aren't introducing some bold, new approach. This bill is an effort to harmonize with other jurisdictions across Canada.

We're in favour of that, yet somehow this Attorney General—and you heard him stand up and refer to this bill—expects that we're sort of supposed to just pass this without considering it, without debating it, without considering the prospect of a need to fine-tune this bill in the course of a committee hearing. Look what this time allocation motion does: this time allocation motion blocks this bill from going to committee.

As well, this bill begs the question as to how litigants seeking extrajudicial maintenance orders or enforcement of an order made in another jurisdiction access the courts to facilitate that.

You heard the previous speaker make reference to the Attorney General's rather lame announcement this morning. This government has perpetuated the underfunding of legal aid to the point where—and, again, in the criminal sphere it's a crisis; in the family law arena it's beyond crisis. And mostly women, although men too, can't retain counsel; unless they've got really deep pockets, really fat wallets and really enriched bank accounts, they can't get into family courts with legal representation. So all of the Bill 131s in the world—and I acknowledge that Bill 131 streamlines the process just a little bit more because it eliminates the need for the provisional order, and that's why we support it in principle, but we so dearly wanted it to go to committee—ain't going to help if these mothers of little kids who are seeking support can't get into the courts and, if they can get into the courts, don't have competent representation once they're there.

1550

On Saturday, I was over at the plaza at the corner of Prince Charles Drive and Lincoln Street in Welland. It was a little ribbon-cutting to open a new business. Jack Huard and his daughter, Jackie Jaroslowski, were opening up Huard Heating. Jack used to own the Mr Furnace down there in Niagara. He sold it a few years ago, thought he was going to retire and then found himself back into the heating, ventilating and air conditioning business. I was there with Jack Huard, his wife Betty, his daughter Jackie—Jackie and he are sort of partners in the

business—and some of their staff. It's a very impressive operation. I indicated that with Jack Huard and others like him in the Welland, Pelham, Thorold and St Catharines area, there is no need for people to go outside of those communities to get those kinds of services.

Of the huge number of friends and supporters of Jack Huard who were present there for the opening of Huard Heating, the single most frequent query put to me was about hydro rates and then the question, "Why does the Conservative government so energetically block any debate?"

Why is the government afraid of committees? Why is the government afraid of committee hearings? Why is the government afraid of exposure to the public and public input into their legislation?

I can see it. I understand some of the answers because this government's experience with the public when it comes to committee hearings has not been particularly pleasant, going all the way back to 1995. Remember the omnibus bill, Bill 26? All hell broke loose in community after community when the government tried to trot that one out before the public. The public was shutting them down. The public was so outraged at what Bill 26 was doing to health care and education, how Bill 26 was paving the way for the orgy of privatization that has indeed flowed from it, and the de-democratization of democratic institutions. All the way back to 1995, this government has had a far less than pleasant experience with public committee hearings. So perhaps there is a reason why the government doesn't want its bills to go to public hearings any more.

I remember when a former Minister of Energy was trotting his hydro deregulation stuff across the province. Remember that, friends? He fled a committee room—was it in London?—and Howard Hampton had to carry on and run the committee.

**Mr Tony Martin (Sault Ste Marie):** He didn't show up in Sudbury.

**Mr Kormos:** You've got that right.

The former Minister of Energy: "We've got to go and sell this deregulation and privatization of hydro to the public. Oh, yeah, we're going to be so slick. We've got the spin lines all down, got it all tuned up and fine-tuned. We've got the spin doctors and the \$1,000-per-day people working on the scripts. We've got the backdrops, the film crew and the makeup people." He was going to trot that out and market it. Oh, yeah, sure. He fled the committee hearings in London. He didn't show up in Sudbury. Howard Hampton took that one over, too.

**Hon Mr Stockwell:** On a point of order, Speaker: That was not the case in Sudbury. The member knows that.

**The Deputy Speaker:** That is not a point of order. Member, please continue.

*Interjections.*

**The Deputy Speaker:** Order. The member for Sault Ste Marie and the government House leader. We'll start naming people. You're not even in your seat, member for

Durham. The member for Niagara Centre, please continue.

**Mr Kormos:** Thank you kindly, Speaker. I'm sorry about the interruption. I apologize on behalf of that member for being so rude. I tell you, Speaker, I appreciate your patience with all of us and your wise ruling with respect to that unsubstantiated point of order. Please.

This government's experience with public hearings has not been pleasant. They've been given a rough ride. So I understand their disinterest in going on the road. I understand the government's disinterest in having public scrutiny of its legislation. You see, one of the jobs we have here, especially in opposition, is to make sure that we give profile to legislation before us and to make sure we do our very best to prevent this government from just ramming stuff through before the press gallery even has a chance to understand that it's there. Our job is to let folks know what this government is doing to them here at Queen's Park, and I tell you, it's not a pretty picture, is it?

**Mr Joseph Spina (Brampton Centre):** Just like the social contract.

**Mr Kormos:** What this government is doing to the people of Ontario here at Queen's Park, I tell you, is a triple-X-rated movie, any day of the week. The brutality of what this—

**Mr Spina:** On a point of order, Mr Speaker: I think that the member's comments are impugning my character as a member of this House, sir. I would ask you to rule on that.

**The Deputy Speaker:** I didn't hear that. What I did hear were your interjections. I'll pay particular attention to see if there's any further reference to you. In the meantime, I know you'll pay particular attention to the member from Niagara Centre's comments. Member for Niagara Centre, please continue.

**Mr Kormos:** Thank you, Speaker. I apologize for that member's abuse of the rules. I regret that those sorts of things happen. I recommend to members to read the standing orders. They're in the book; it's in your desk. Read them and they'll be of some modest assistance to you in the course of raising points, because sometimes you can get a point of order in through the back door where you can't through the front door.

But what this government is doing to the people of Ontario is indeed brutal and obscene. The folks down where I come from, the folks I met, thousands over the course of this past couple of days, over the weekend, know it. The other night—once again, it was Jim Bradley's riding—I was with Jim Bradley over at the Queen Street Baptist Church. The Niagara community male chorus was performing to raise money for young Sarah. Sarah's four years old. Her folks are as loving and as caring and as committed as any two parents I've ever met—and her grandfolks. Sarah was there. She's a beautiful, beautiful child, a real jewel, with a sparkle to her eye and a lively presence. Bright—bright as a whip. But, you see, Sarah has autism. This government has abandoned kids with autism, because this government



won't fund the treatment and therapy that Sarah and other kids with autism need if they're going to get a fair shake, if they're going to be able to develop that incredible intelligence that was so obvious in that little girl, the incredible vitality that generated that sparkle in her eyes.

So Sarah's parents—and they can't afford it; I know these folks, and they're hard-working working people—have embarked on a privately retained treatment program, because it's not available to them through the government's autism program, that is costing them tens of thousands of dollars a year. It was so nice to be a part of that community, the Queen Street Baptist Church, which tried to help take care of one of its own. I was there and I tried to make my modest contribution—I did make it, and I know other folks did. I was there when they were counting the money. I'm sorry to say, although it was a whole lot of money, at the end of the day, the money that was raised last night at the Queen Street Baptist Church in St Catharines is only going to pay for but a few weeks of the therapy and treatment that Sarah deserves.

You see, those folks know that this government has betrayed Sarah and others like her. It was interesting, because as I was leaving the church, a couple of people followed me out into the parking lot. The two things that were raised with me were, one, hydro rates—they had already expressed their anger over the lack of support for Sarah and kids with autism—and interestingly, remarkably, the query of, "What's going on at Queen's Park? Why is debate always being stifled? Why is it being cut off? Why is it being terminated?"

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**Mr Bradley:** Why is it on channel 67 now?

**Mr Kormos:** One moment, Mr Bradley.

That's what folks in St Catharines were saying to me over the weekend, be it the thousands upon thousands at the grape and wine festival—of course we celebrate the great vintners and growth of the wine industry, but we also celebrate—I am so pleased—the tradition and history of grape growing there, vineyards, the hard-working families who are, well, stewards of the land. The best way to preserve agricultural land is of course to keep it in agricultural usage, isn't it—sound agricultural usage, such as vineyards are.

Niagara region—and any number of members from Niagara region will be pleased to tell you about this—is an internationally unique place, which is why it's one of the few places in Canada which grow such exceptional grapes, which is why it supports a grape growing industry, grape farms, vineyards, and why it supports a wine industry.

But this is indeed a risky time allocation motion. It's legislation that has existed since 1948, amended in 1993, amended in 1997, and now we have a rewriting of it which does little other than to eliminate the two-stage process. That's fair enough. But it also eliminates some of the safeguards that were inherent in the legislation it repeals—understand that—and I've raised that directly with the government House leader. I spoke to the govern-

ment House leader about the sections in the bill which eliminate the safeguards to respondents of nonjurisdictional, extrajurisdictional, support orders. I said, "Look, I'm not sure. All I'm telling you is that I notice that these are being repealed from the existing legislation." Surely that alone warrants this bill being put to the public so the public can scrutinize the bill and especially so practitioners in the family bar and other advocates can provide commentary.

But the government chose not to have public hearings. God bless. It, then, will live with the consequences. And if this bill blows up in their faces, looks good on you. If this bill bites you on the butt, looks good on you—looks good on you. Because this government didn't want this bill to go to committee. It didn't have to travel; just here in Toronto.

This government has shown such a remarkable disdain for democracy, for debate, for the role of the opposition. Our job is to expose what this government is doing to folks in this province, and I think we do a pretty good job of it. Our job is to expose what this government is doing to this province. And whether it's Bill 131 or whether it's the legislation that was introduced today, which is an effort to distract the public and lawyers from what is the real debate, that is, about this government's lack of support for a legal aid system and its efforts to gut it, to make it collapse—because we'll debate that bill too. We'll debate it and we'll analyze it and we'll push for it to go to public hearings. And oh yes, the government, with its majority, can introduce another time allocation motion and can prevent it from being submitted for any hearing consideration, as the government does today.

During the course of second reading debate, I believe I opened my comments in this Legislature during what was a very brief second reading debate, but a handful of hours. I've got members in this caucus, my colleagues, who very much wanted to speak to this bill on second reading, because it is very relevant, one, to their particular roles in the caucus and, two, to the phenomenon, the reality for so many people, kids and moms as well as dads, in their communities.

This bill begs some reflection on this government's gross and negligent mismanagement of the Family Responsibility Office, the family support plan. The incredible negligence of this government, their disdain for women and kids whose support orders are not being enforced, where money being paid by payers by virtue of deduction by their employers is disappearing into this government's FRO's black hole, never to be seen again, remains one of the biggest single areas of complaint. I've got to tell you, hydro rates are now matching the Family Responsibility Office complaints.

One—and it's not always moms who have custody of the children, but in the majority of the cases it is—moms aren't getting the support payments due their kids, in a large number of instances because this government has basically taken the money and hidden it away in the FRO, which is still the victim of gross mismanagement and under-resourcing up in North York, as it used to be; up in Downsview, here in the city of Toronto.

Two: this government's absolute failure to get serious about deadbeat payers. I've got women coming into my office—and again, it doesn't always have to be women; it can be men to whom money is owed—saying, "Look, I have the location of this guy. I know his employer. I know where he lives. I have his social insurance number. I have his driver's licence number. I've been pleading with the Family Responsibility Office to collect the arrears of \$4,000, \$5,000, \$6,000."

Here we are approaching the Christmas season again. There are going to be kids going hungry this Christmas because of this government's mismanagement of the Family Responsibility Office. But has this government ever demonstrated any real care or concern? One of its first acts back in 1995 was to slash, cut, social assistance benefits by just shy of 22%.

You heard from my colleagues Michael Prue, Marilyn Churley, Tony Martin, all of whom participated in the challenge put forward by the Daily Bread Food Bank to live on a social assistance food allowance for a week. What was it, my friends, \$12 and how many cents?

**Mr Michael Prue (Beaches-East York):** Five.

**Mr Kormos:** It's \$12.05 a week. That's the welfare budget for food for one week. One Starbuck and she's gone. Think about it: one subway token, it's gone. Most of us lose that much money, as I told you the other day, on a Saturday night leaning back in the La-Z-Boy, underneath the cushion. Less than two bucks a day to eat.

So this government imposes upon the poorest women and kids in this province. I suppose I shouldn't be so surprised at their disinterest in the welfare of women and kids.

**Mr Bradley:** How far would \$12 go at the Albany Club?

**Mr Kormos:** Twelve dollars at the Albany Club? That's what you give the concierge for taking your coat, or the maitre d'. Twelve bucks will probably buy you three quarters of a premium quality liquor martini at the Albany Club. Twelve bucks will probably buy you a little cappuccino or espresso in those tiny, little espresso cups that the guys at the Albany Club with the cigars—12 bucks will probably buy you a cappuccino at the Albany Club. Twelve bucks will probably buy you an appetizer of a couple of pieces of romaine lettuce and some diced and sliced stuff on it with maybe some paprika—I don't know, do they use paprika? That's too ethnic for the Albany Club, isn't it? It's my people who use paprika. But whatever—some little sprinklings of stuff on there. Twelve bucks a week. That's less than \$2 a day that this government allows our poorest sisters and brothers, the poorest members of our community, to live on. That's criminal.

1610

So I tell you, this government has never displayed any real interest or sympathy, or even empathy, for the poorest people in our society. It's been a matter of just kicking them away. Clean them up. Send the cops in to bulldoze the squatters' huts down at Home Depot. Do a little Mayor-Guiliani-style street sweeping. We have homelessness? Let's not address it. Let's not build

affordable housing. Let's eliminate the evidence of it; literally sweep it under the rug. We'll legalize poverty, which is what this government does. We'll solve poverty; we'll make it illegal. We'll make it an arrestable offence to be so poor as to have to beg for alms. We'll send you to jail. Rather than address the issue, we'll hide it; we'll obscure it.

Somewhere up there, Stalin is smiling. He'd find this a remarkable tactic. This is whitewashing and revisionism at its best. The problem is that now when I'm headed to Welland on Thursday night, the beggar at the end of University Avenue doesn't dare squeegee my window as he used to on a snowy, slushy winter day. I looked for him. But now, since a willingness to trade some labour for some modest coin has been made illegal—this government, of all people, making that type of entrepreneurship illegal. Now the guy's just there begging for coin but afraid to squeegee.

*Interjections.*

**Mr Kormos:** He's not. Take a look. Don't hide from it. Get out of your limousine. Take a look.

Mr Prue wanted to speak to this motion, but we don't have enough time. Mr Martin will have enough time. Mr Prue, of course, will be speaking this evening. Mr Prue has his one-hour leadoff on Bill 151, waterfront revitalization. So I encourage folks to come back to the legislative channel at 6:30.

**Mr Bradley:** Channel 67.

**Mr Kormos:** You folks down in Niagara who are with my good friends at Cogeco have noticed that the legislative channel is now up there in the higher numbers. Sixty-seven is the number. Of course, if you're not on 67 now, you won't understand one of the problems—we're going to do something about that; Mr Bradley and I have every intention of addressing that. I got it in one comment on the street in St Catharines on Saturday morning, and we're going to be addressing it. You see, there are a whole lot of folks who don't have 67 on their tuners. There's a whole lot of folks who don't even have converter boxes that go up to 67, and 67 is kind of lost out there. I know that folks down in Niagara watch the legislative channel; I know it. Especially senior citizens watch the legislative channel. They do hit the legislative channel, because they want to know what's going on. They are not pleased with what's going on; they're not overjoyed about it. But they still want to know what's going on.

We are, by the way, voting against this time allocation motion. We oppose it. We believe there has to be free, wide and broad debate around legislation in this chamber. We believe that matters should go to committee. We as opposition members are going to keep on, until that is no longer the case, to hold this government accountable for all the incredibly nasty harm it has done to this chamber, this assembly, this institution.

**Hon Mr Stockwell:** It's certainly opportunistic of me to follow the House leader for the third party. I was out this weekend as well, visiting constituents. In fact, I was at the Etobicoke Centennial Arena watching my daughter



play the Etobicoke Dolphins, and some constituents came up to me there—many, actually.

**Hon Brad Clark (Minister of Labour):** What did they say?

**Hon Mr Stockwell:** They said, “Gee, Chris, I’m curious about this red-faced fellow who wears no jacket and tie in the legislature. He’s a curious sort of fellow because he stands up and says things that don’t appear to be very correct.” That’s not the word they used but that’s the word I’m using because you can’t use the other word in here. I said, “You mean he says incorrect things?” They said, “Yes, he says that other word,” but I have to use “incorrect things.” They said, “We honestly saw last week in the House where Bill 131 was being debated”—and as government House leader I get an insight into this gentleman—“and it seems strange that he has such a different view of what’s taking place than virtually everybody else.” I said, “It’s a planet thing. You see, we have occupied this one and he has another one that he lives on.” That’s the way I responded to them. It’s funny he should talk the way he talks about debating Bill 131, because they said to me, and it’s true, “Well, Chris, I heard that you said to his party, ‘If you want to go to committee on this bill, we should go to committee on this bill.’”

In fact, the Liberals said the same thing. “Gee, Mr House leader,” said Dwight Duncan, “that’s a very generous offer. I don’t want you to leave; I want you to stay. Please, it’s so much fairer if you’re here.” And he said, “Yes, that’s a good idea.” But you know what the House leader for the NDP said? “No!” He said it just like that: “No!” It was a small room, there were a few in there and he yelled it about that loud.

**Mr Wayne Wetlaufer (Kitchener Centre):** Who’s the House leader for the NDP?

**Hon Mr Stockwell:** Mr Kormos. And they said, “Chris, that’s surprising because he was prevaricating then.”

*Interjection.*

**Hon Mr Stockwell:** I think that may have been true because—oh, I really apologize for interjections bothering the Speaker when there are people talking. I know he wouldn’t want to see that.

So what happened? It’s a shame that he left, I say to two backbench members. Maybe you don’t know what happened, and here’s what happened. I said we should have three days of committee to hear this Bill 131, since all parties were voting in favour of it, as long as we took one less sessional day to pass it. “Instead of three sessional days, we’ll take two. Trade off this one sessional day—three days of committee.” “No! My members want to speak to this bill,” he yelled at me. And I said, “This is fair. We’ll go to committee and they’ll have an opportunity and then at third reading they can debate it for a day.” “No!”—he says no a lot—“Where I come from”—and fill in the appropriate planet—“my members want to speak to this.”

So I was surprised when on the third day of speaking, on Thursday—son of a gun—I looked at the speaking

order for the NDP, and his members wanted to speak. But I said, “How many members spoke to this bill on three days’ debate?” Mr Kormos and Mr Bisson. That’s it. No other members spoke to this. On the first day—

**Mr Bradley:** On a point of order, Mr Speaker: I had to go to the dictionary to look up “prevaricate,” which was used by the present speaker, and it mentions speaking in a misleading way. I didn’t know that was permitted in this House. I know it wasn’t when he was the Speaker.

**Hon Mr Stockwell:** Then I will certainly withdraw.

**The Deputy Speaker:** I believe the member already indicated that he was if not withdrawing, acknowledging it was wrong. He has done so now. The matter is dealt with.

*Interjection.*

**The Deputy Speaker:** Your point is well taken. You’ve won. Take yes for an answer.

The government House leader may continue.

**Hon Mr Stockwell:** I will withdraw again if that’s the case.

It’s funny: two speakers in three days. On the first day their House leader agreed to limit debate to 15 minutes per party. Now, here is a guy who was telling me he’s got these people, stacks of them—can’t be stacks with only eight others in the caucus—but stacks of them waiting to speak on this bill.

1620

Here we go. That’s why what he says and reality—and that wasn’t the word they were using at Centennial Arena—don’t seem to come together, because he only put two speakers up to this bill—in three days, two speakers.

Furthermore, did you know that on the last day we were debating this, which was Thursday—and I’m not going to use those words we just mentioned because they’d be unparliamentary, but he was incorrect again. Did you know they skipped two of their turns to speak to this bill? There was all this fist-fighting and arguing, “I’ve got members stacked up who want to speak to this bill.”

**Hon Norman W. Sterling (Minister of Transportation):** That was on Thursday morning.

**Hon Mr Stockwell:** Thursday afternoon. They skipped two of their turns.

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet, Minister of Culture):** That’s a blessing.

**Hon Mr Stockwell:** Agreed. But you’d think a guy who doesn’t want three days of committee because he’s got stacks of members who want to speak to a bill could certainly find a couple of these guys to speak to the bill, don’t you think? There’s that whole reality, perception, Kormos-rest-of-the-world thing going on.

As House leader, I was kind of surprised, because the Liberals agreed. They want three days of committee on this. Here we have it, what really happened and his take on what happened.

To add insult to injury, on Thursday afternoon when my members are speaking, he stands up and says, “Mr

Speaker, on a point of order: It being"—before 6—"I seek unanimous consent that it be deemed to be 6"—and that we end this sessional day. He wanted to go home before 6 o'clock on Thursday because he didn't have any members to speak to this bill and he didn't want to be here.

I really feel sorry for those folks who met with Mr Kormos on the weekend. He told them that we were shutting down debate in this House. The only guy shutting down debate in this House was the previous speaker.

**The Deputy Speaker:** Further debate?

**Mr Bradley:** Thank you very much, Mr Speaker, for the time to speak on yet another time allocation motion. It's most unfortunate because you are aware, I'm sure as all members are, that there are many other matters we'd like to discuss rather than a time allocation motion.

As the member for Niagara Centre said when I was speaking to people on the weekend, invariably people were talking about the huge increase in hydro rates, the cost of electricity in the province. Many of them had listened to the government say that the privatization and deregulation of the sector would bring much lower prices. They thought this government was trumpeting itself as a government of good managers. Unfortunately, what we've seen is exactly the opposite. We've seen hydro rates skyrocket. I have not seen as many telephone calls to my constituency office and letters and e-mails coming in as I have on the issue of the increased rates for hydro. How we'd love to be able to discuss that this afternoon instead of a time allocation motion, or the doctor shortage that we experience in the Niagara Peninsula.

You in Hamilton, even though you are a major medical centre with McMaster University, a medical school there, you still experience to some degree shortages in specific areas. On the Niagara Peninsula people are crying out for general practitioners, sometimes known as family physicians and specialists. I get e-mails and letters from people, I get telephone calls from people absolutely desperate, looking particularly for a family physician because the family physician has the ability to refer to a specialist.

My own doctor, Dr James Wright, retired as of Friday, so I'm in that circumstance of having to look for a family physician. Dr Wright provided outstanding service to the people of St Catharines for years and years, one of these dedicated people whom we all know, who worked 60, 70, 80 hours a week, still did house calls, the kind of person you want to see in the medical profession. But he had reached a point in his own life where he wanted to retire and is quite justified in doing so, and we wish him well. But every time one of our physicians retires, then a lot of people do not have a family physician, a general practitioner with whom to deal. Just as it is in Sudbury or in Sault Ste Marie, St Catharines, Niagara, right around the province, we have this problem of physician shortage and a government that is taking precious little action to solve the problem. I like to be fair and say that there have been some steps that they've tried, but they're certainly not producing the numbers that we need.

I think there's not a recognition of the average age of these physicians. We would love to be able to discuss this at some length in this House, some new measures that the government is bringing forward to ensure that we have physicians. People phone our constituency offices, perhaps thinking that we can get them a doctor, that we, individually, have a responsibility to get them a doctor. Of course, as you would know, Mr Speaker, that is not possible. No physician has to take on patients. We're not in a position to know who is taking on patients and who isn't taking on patients. But we do feel for the people who are in those circumstances, and call upon the government to provide the necessary incentives and to change policies to ensure that we have a sufficient number of physicians.

We have young Canadians who go to medical schools outside of Canada, outside of Ontario for instance, because there aren't enough spots, enough positions available in our medical schools, so they're compelled to go elsewhere. If they want to come back into Ontario to practise, that's not as easily done as most people would think, and yet there are many out there who would like to do that, would like to practise in our communities.

I would like to call upon the government to take the kind of positive action that's necessary to ensure that we have an adequate supply of physicians, particularly the underserved areas of the province, such as the Niagara Peninsula and, if I can be parochial, the city of St Catharines.

The member for Welland-Thorold, as we used to say—now Niagara Centre—raised another interesting issue, and it's within the realm of time allocation motions and the procedures of the House, and that is the decision of Cogeco TV, cable television, to move the Ontario legislative channel from channel 15 to channel 67. I've always felt that that was good access for people. They could hear what the members from Durham are saying or the members from Niagara Peninsula, the Minister of Transportation, by having access on a low channel which everybody can get. Every channel now on a television set would go up to channel 15, or at least most would go up to channel 15. But not everyone has a new enough television set, or perhaps a converter, that will take them to channel 67, so people are deprived of watching what happens in the Legislature.

They may not like what they see on some occasions. We all understand that. I think it's important to hear Mr O'Toole. I sometimes, in fact many times, disagree with Mr O'Toole, but I think it's important that they're able to hear the arguments that he puts forward in the House and the arguments that people in the opposition put forward. Now that that's relegated somewhere up to channel 67, instead of channel 15, it's much more difficult for people to access that.

That gets into the realm of democracy. I'm going to be speaking to the assembled Lions clubs in the Niagara Peninsula this evening. My topic is going to be, because I want to keep it non-partisan, the total topic of democracy and how we see, in various places, an erosion of demo-



cracy, and how we can make our democracy more relevant. I think there are many measures. One of them I will mention only: watching in various parliaments across this country the changing of the legislative rules, which takes away the ability of the opposition to influence government policy in a way that they should be able to. One of the best speeches I heard on this was from the gentleman sitting across from me, the Honourable Norm Sterling, the Minister of Transportation. When he was in opposition he made a very compelling case for the opposition having the ability to influence the government, to force the government to reconsider its policies by slowing down the process when that was necessary, and so on. I thought he made a compelling case at that time. No doubt he's still trying to make that case with his colleagues, but not quite as successfully as he probably would like.

Another thing that we could be talking about this afternoon—and I know the whip will tell me when I'm to sit down—because we have to put it in this context, and you would know this in Hamilton West, as we do everywhere else: it's not only the electricity costs that are skyrocketing, particularly for people with a modest income or very fixed income at a low rate, but they're also seeing huge increases in insurance premiums as they have to renew house or car or other kinds of insurance. They're seeing a huge increase there.

1630

We're going to be asking them in a bill before the House to pay even more for water and sewer services in the province, in what we call full-cost accounting. We know in terms of those who heat their houses with natural gas that there will be increases that are going to come that are retroactive increases—with Union Gas, for instance—that will be reflected in upcoming bills. And there are a number of other user fees that municipalities that have been downloaded upon by the provincial government have been forced to increase.

When we get into the user-fee end of things, who does that affect the most? Well, it affects people of modest income. Wealthy people can handle user fees, thank you, and feel quite happy about it because they feel they don't have to subsidize everybody else. But people of modest income or fixed income or low income, to put it bluntly, in many cases don't have that same opportunity. We're seeing increases everywhere. That's what people are talking about. Those are the kinds of issues they're talking about today, as well as the medical issues they have to confront. So when I see us dealing with a time allocation motion when we could be dealing with other significant issues that emerge in our ridings, I am perturbed by that.

I also should say that people are concerned about the environment. I asked a question today in the House of the Minister of Energy. Apparently Mr Barrett, who represents the riding of Haldimand, said that Mr Baird wasn't in favour of eliminating coal-fired plants. In other words, the Nanticoke plant, which is the largest polluter in all North America in terms of plants, is to close down.

We think it can be done by the year 2007; the government believes the year 2015. The impression Mr Barrett got from Mr Baird, the Minister of Energy, was that he doesn't think they should be closed down at all, which makes us worry that were this government to be re-elected, that particular promise would be abandoned.

These are the kinds of issues I would like to deal with. Unfortunately, I cannot because we're stuck dealing with a time allocation motion.

**Mr Martin:** I'm always happy in this place to follow the member for St Catharines, and particularly tonight to follow his neighbour, the member for Niagara Centre, because they are two members of this place who understand very clearly the impact of decisions made by government, and this government in particular, on their own jurisdictions, the people they serve and those who are most at risk in their communities.

They also understand very clearly, particularly our House leader here, the member for Niagara Centre, when our opportunity to speak—and the member for St Catharines speaks on this on a regular basis—our privilege as members to put on the record our thoughts on pieces of legislation that are coming forward that are going to affect very directly and in an immediate way our constituents, is limited, and the way we're so often in this place confronted with time allocation motions where democracy is limited, is what I'm trying to say here.

It really is a problem. It's becoming more and more of a problem as we move forward with this government and as we look at the kinds of initiatives they're bringing forward that always affect, it seems, those who are least able to speak for themselves, and we push it through here in short order.

To suggest for a second, as the House leader from the government side did a few minutes ago in his usual bombastic, blame-everybody-else style when he walks into this place—he's very good at that. He's a good speaker, but he doesn't always tell it quite like it is; lots of revisionist talk from him on how things actually work out. He suggested earlier that we weren't interested in bringing this bill to committee. Well, let me assure you that from the very first day this bill was introduced, we suggested it should be sent to committee. I have a note here that was given to all of us in this caucus in preparation for speaking to this bill, and the very first key message says, "This bill should be sent to committee, so that people in family law practice can comment on the status quo and what is necessary to improve the speed with which a support order can be obtained."

Again, last week, a note was prepared as this bill, after sitting for a year on an order paper someplace—I guess the government, in order to respond to some of the comments they made as we came back to the House that they had a full agenda, that it was going to be a very energetic and exciting agenda, a very positive agenda, had to look around and find something to table. We're not quite sure yet what this exciting agenda is or what it's going to look like, because we haven't seen much tabled to date. Maybe the government House leader is too busy pointing fingers and giving speeches and blaming our

House leader, who happens to be the most effective House leader I've worked with in a long time in this place, challenging the government, demanding that we, his colleagues, get time to speak on issues we have an interest in and making sure we hold the government to account.

The note we got last week, in preparation for speaking to Bill 131, which we thought we'd have a lot of time to do, given that we're here till before Christmas and there are only about two other pieces of legislation on the table at the moment, says again, as did the note of November 9, 2001, which is when we first saw this bill in this place—now, the government may suggest, as the member did, that somehow this small group of nine people in the NDP caucus over here can stall and stop and impede the juggernaut that's across the way. They're the government. They organize and order the business of this place. If they can't get stuff through, if they can't deal with some of this legislation in a timely and effective fashion, then perhaps they should be pointing fingers at themselves and asking why it is that week after week—usually on Wednesday, because that's my duty day here—we have time allocation motions. The member for Nickel Belt and I would almost find it funny, if it wasn't so sad, that if it's Wednesday, it's a time allocation motion; if it's a time allocation motion, it's Wednesday.

We've changed the order a little bit here, because now it's Monday and we're getting time allocation motions. They're not even waiting till Wednesday any more. They're bringing them right in on Monday and slapping them on the table and there we are: debate cut off, no opportunity to go to committee, no opportunity for members here who want to speak to these pieces of legislation like I do to this. It's over in a matter of a few minutes for each caucus, and less for each member to put their thoughts on the record. Once these time allocation motions come in, yes, we get a few minutes to speak on second reading, but when that's over, third reading usually follows on its heels and is immediately brought to a vote and it's all over, no further debate. That's it.

The government has become a master at managing this place in that way. They changed the rules because they don't like to have to take the time that is necessary to follow due process, the procedures in this place that were established over a long period of time, each party having a chance at government to experience that. No, they're in a hurry, they're impatient, they have an agenda, they have things they want to do. They want to make sure their friends on Bay Street, whom we've seen so much of over the last week or so as the Hydro debacle continues to unfold and we discover the kind of money that is being put into the coffers of government members as they run for various offices—the Premier, for example—and example after example of whom this government is wanting to serve and why they're in such a big hurry to get that done. If they get it done quickly, then they hope people won't understand.

But I tell you, they'll understand, like the people of Wawa discovered this past week when they opened their hydro bills to see what the increase is going to be and the

effect the deregulation of that industry is going to have on their little community, their lives and their industry. Time after time, the little people of this province, the people who live in all our communities, discover when they wake up in the morning just what kind of impact the initiatives of this government has had and will have on their lives.

So it's important for us to have the time to get up and be critical, to critique, to do the job we were elected to do here in this place and to put it on the record.

**1640**

I wanted to speak to this bill. I wanted to speak to this bill in a very important way. The government House leader said that last Thursday there were a couple of rounds missed here. He doesn't seem to understand that we have nine members here and we have a lot of work to do, here and out in our constituencies. We're not always able to be here to follow in rotation. We would expect, as other governments have done over the years, that the government would respect that, would understand that and work with us to make sure we had the time that was necessary; that they would bring other bills forward so this could be put off for a day or two, and we could get back and deal with it.

Last Thursday I was in Wawa. I was talking to the people of Wawa about the impact of the deregulation of hydro and what it was doing to their community. I was talking to them about the very difficult economy that all of us are experiencing in northern Ontario and what we might do together to maybe improve that circumstance. They want to talk to their members of Parliament, they want to talk to Mr Brown, they want to talk to me. They want to talk to anybody who will go up there and listen to them as they tell us about the impact of decisions this government makes on their lives. That's where I was. I was out there participating in the democratic process in this province, so that I could bring their comments, their concerns, their views back to this House and put them on the table as we speak to these various bills that come forward.

I couldn't be here on Thursday to speak to this. I was hoping the government would understand that and would be willing to wait, put it on hold, bring something else forward, table something else, but no. We know from dealing with the government House leader over there that that's not his style. He doesn't care. He doesn't understand that. He's driving a bus that is on a course that's going to destroy and destruct all kinds of things that we've taken for granted would be there for us in this province and won't be there any more.

I wanted to highlight in this bill, for the few minutes I have left, the duplicity, the double standard inherent in the bill. Here they are, the government, bringing forward a bill that will tie us into a national program of chasing down people who are in arrears where the Family Responsibility Office is concerned, and they haven't done their own homework, they haven't organized their own backyard.

I know from my own office—and I talk to all my colleagues here about Family Responsibility Office issues—



that it has become the number one-time consumer, the number one issue that we spend time on, that people phone us about, that we're working on diligently, day in and day out. I have a full-time staff person doing almost nothing else but Family Responsibility Office work in my office.

Here is a government that is saying, "OK, we want to participate in this national, countrywide program," when they know that in their own jurisdiction they're not going to be able to live up to it, because they can't even deal with the stuff that's happening in Ontario.

Time after time—and it's interesting, it's bizarre—we get lawyers who are trying to figure out the system, who are trying to help people take advantage of the system and make it work for them, sending their clients to my office. We're not lawyers in my office. I don't think that's our job. I think the legal profession is smart enough and trained enough to do that kind of thing. But they've turned the Family Responsibility Office process into such a disaster, such a difficult quagmire to get through, that even lawyers can't do it any more. Lawyers can't spend the kind of time on the phone that you have to. The phone rings and rings, you get the answering service, you call back again and again, you get called back when you're not there. It goes on and on. So we get lawyers sending their clients to our office, asking us if we'll help them work through this thing.

The other thing we're finding now too, Mr Speaker—and I don't know if you find it yourself in your office—is that the Family Responsibility Office is now phoning my office, asking for information that they should have the ability and the resources to get on their own.

We have somebody in. Somebody is in arrears. They want to get that information to the Family Responsibility Office. We phone the Family Responsibility Office, we give it to them and then they phone back and say, "Well, we're not quite sure where that is exactly. Could you send us a map?" We actually had the Family Responsibility Office phone our office and ask us to send them a map so they could find this little community somewhere close to Sault Ste Marie, where this person is who's in arrears so they could go in and serve him papers, or go after him or her and make the system work. It's bizarre. It's absolutely ludicrous.

There was a time in this province when there was an office in Sudbury and an office in Thunder Bay—and there was a ton of people working on these things—and an office in Toronto. That wasn't perfect, but we were working to make it better. There were people out there you could phone, and they would respond to you. They knew, when you phoned from Echo Bay or back of Bruce Mines or Gogama to that office, where that was. They knew where you were calling from. They don't know any more. As a matter of fact I'm not sure, when you phone the Family Responsibility Office now, that you're not talking to somebody in Georgia or Nebraska or someplace, some call centre. Then they'll call back somewhere. It's a bit like the policing that's going on now, where you have offices dispatching to places north of the Soo, off near Ranger Lake, from North Bay. How does

that person know where to send somebody when they put out a dispatch or an order for somebody to go out?

It's the same thing with the Family Responsibility Office. It's just too centralized. There are not enough people. They're stacked up with cases they can't deal with. I would guess that now the rule of thumb is that if somebody calls, we deal with that file. That's the priority list. If Mike calls in the morning, they take his file and deal with it. If Tony calls in the afternoon, they take his file and Mike's file gets pushed aside to deal with that one. What a way to run a government. What a way to run an office. But that's what is going on. That's what is happening out there.

My staff person is pulling her hair out trying to figure this one out, making phone calls, waiting for phone calls. We've got people driving down the highway who are getting phone calls saying that their licence is going to be suspended unless they send in a payment. They try phoning. They pull over the first chance they get, phone the responsibility office and they can't get through. They go down the road a little bit farther and they pull in again. They phone the Family Responsibility Office and they can't get through. They phone my office and they say, "Lea, will you give them a call? I can't. I've got to get this load someplace. Will you call them and then maybe have them call me and let me know what they're going to do?" So he pulls into a weigh scale somewhere and his licence is pulled.

I'm not saying we shouldn't be pulling licences. It's one way of making people sit up and take notice. But if this guy can't get hold of the Family Responsibility Office in order to find out where to send the cheque that's required, and we as an office are given the responsibility by him to get hold of that office, and then they don't phone back, or we try to get hold of him while he's on the highway, and then he ends up losing his licence, losing the load that's on the back of the truck because he can't deliver it on time, or, if he does deliver it on time, he runs the risk of getting a ticket, which he then has to pay, and is in even more trouble, you know who suffers the most in that scenario? The child; the children who don't get their money because he now has no money. She's not getting her money and the kid's wondering why there's no milk for the Corn Flakes at breakfast in the morning. That's what's happening. The kids are getting hurt.

But we shouldn't be surprised, because the attack this government has waged on the children of this province, particularly those who are most vulnerable and at risk, has been unrelenting since 1995. First they cut the income, then they clawed back the little bit of money the federal government was going to give them in order to deal with the question of poverty, and then, after they had done that, they began to attack their parents. They began to attack the mom and the dad by accusing them of drinking beer with the money they were getting as a nutritional supplement when they were pregnant.

I'm appalled and dismayed that we don't have enough time in this place to have this kind of debate more often and at greater length.

**Ms Marilyn Mushinski (Scarborough Centre):** I'm pleased to join the debate this afternoon. I will be sharing my available time with my colleagues the member for Durham, Mr O'Toole, and the chief government whip, Dr Galt.

We all know that we live in a society that is increasingly on the move. It's not uncommon for someone to change jobs and relocate out of the province and, in a lot of cases these days, out of the country. Add to this the sad reality that many marriages end in divorce, and we believe that we have a challenge that needs to be addressed by our laws.

1650

It's essential that we modernize family law to keep up with the increased global mobility—welcome to the chair, Mr Speaker—and indeed that is why we have introduced the Interjurisdictional Support Orders Act: to really address that particular issue. If passed, this bill would recognize the challenges of a mobile population by allowing for greater coordination among the provinces and territories and between countries. It would also simplify and streamline existing processes that would make it easier and less costly for Ontario families and children to obtain support from people who live outside of the province.

These changes would also affect spousal support. Clearly there is a need for this legislation. The numbers prove it, and I personally believe there's a need for this legislation now. Believe me, from the calls that I get into constituency office, I believe this legislation is far overdue.

At any given time, there are over 7,000 Ontario support orders being enforced in other jurisdictions, and I think that's important to remember. In addition, Ontario enforces over 5,000 support orders from other jurisdictions. These changes, we believe, will benefit children, the vulnerable members of our society who need our protection.

I believe it is our duty as a government to do what we can to ensure the well-being of all children. No child should ever go without simply because one parent has left the province. Borders and boundaries should not prevent a child from having what they need and what they deserve.

Just imagine what it would be like for a parent to tell a child there isn't enough money for swimming lessons or, even worse, there isn't enough money to pay the rent or to buy groceries because another parent has failed to pay child support. Just imagine what it's like for that child who is forced to go without. I believe that no child should ever have to experience such hardship. The proposed legislation would replace the existing Reciprocal Enforcement of Support Orders Act, which currently governs support cases where one party lives outside of Ontario.

I want to stress that all existing reciprocity arrangements would continue under the proposed bill. That means that reciprocal arrangements that we currently have in place with all other Canadian provinces and

many other countries will remain as is. Earlier this year, our government and the United States federal government established such an agreement. It also allows Ontario and the US to enforce family support orders for each other's residents. Previously, Ontario had arrangements with 40 individual US states, but this new federal-level arrangement captures the additional states as well as the US protectorates of the District of Columbia, American Samoa, Guam, Puerto Rico and the US Virgin Islands. This arrangement actually makes it easier to improve enforcement co-operation with the US, because Ontario can deal with one federal agency instead of 50 state agencies, something that I think we would all aspire to in this House as a more effective and efficient way of dealing with these issues.

I want to also point out that Ontario isn't alone in its commitment to protecting children and ensuring that they have a healthy and prosperous future. In 2001, at the annual Premiers' conference in Victoria, provincial leaders committed to introducing effective reciprocal family support orders legislation in all provinces and territories. Since that time, a number of provinces have acted on this issue. Alberta, British Columbia, Manitoba, Saskatchewan, New Brunswick, Nova Scotia and the Yukon Territory have all passed similar legislation.

This summer, Premier Eves reiterated his commitment to this legislation at the annual Premiers' conference in Halifax. We now have the opportunity to fulfill Ontario's commitment by moving forward with this legislation—and quickly, I should add.

Ontario and the other provinces are clearly doing their part to ensure that families, and especially children, obtain or vary support orders in the most streamlined and least costly manner possible.

We all know, as I've said earlier, that we lead a very busy lifestyle, with many things to worry about. If there's any way that we can cut down on the amount of time it takes to get something done, I think everyone should jump at the chance.

That's exactly what this proposed legislation would do: it would make it quicker and easier for families to register, establish and vary support orders where one of the parties lives outside of Ontario. In addition, it would also cut down on the costs associated with this. The proposed bill would do this by streamlining and updating existing processes by replacing the Reciprocal Enforcement of Support Orders Act, currently in place in Ontario. For example, the current, somewhat complex two-stage hearing process would be replaced by a single hearing process. Under a single hearing process, persons seeking to establish or vary a support order would complete the application package, which would be sent to the reciprocating jurisdiction for a support determination. This means that a hearing would only need to be held in the receiving jurisdiction, with it no longer being necessary for the court in the originating jurisdiction to hold a provisional hearing, as is currently required. It sounds very cumbersome to me.

The proposed legislation would also help the courts to determine which jurisdiction's laws apply. It would pro-



vide guidance to Ontario courts in determining whether the law of Ontario or of another jurisdiction applies to a particular case. The bill, if passed, would ensure a child-focused test in determining which jurisdiction's laws apply to child support.

Another important element of this proposed legislation is that it would give automatic recognition to orders from other Canadian provinces and territories. An order from another Canadian province or territory would be registered in Ontario and would be automatically enforced. Parties would no longer have the right, as they do now, to apply to set aside registration of an order from another Canadian province or territory—and believe me, I know that loophole has been used to avoid responsibility. Anyone objecting would be required to address their concerns in the province that made the order.

This legislation, if passed, is actually all about protecting children. It's about protecting families and children and ensuring that they get the support to which they are entitled. Protecting children, all children, as I've already said, is an absolute top priority of this government.

1700

Earlier this year, we passed legislation that would rescue children from prostitution and other forms of sexual exploitation. The Rescuing Children from Sexual Exploitation Act permits police and children's aid workers to remove children from a range of dangerous situations including street prostitution, massage parlours, adult entertainment facilities, Internet sex lines and the pornography industry.

This legislation will also allow the province to sue pimps and others who sexually exploit children to recover the costs of treating their victims.

Last year's Christopher's Law was proclaimed, creating the Ontario sex offender registry, the first of its kind in Canada. I'm pleased to say that after much pressure from our government and others, the federal government has finally agreed to implement some of the key features of the Ontario sex offender registry.

We're now calling on the federal government to move on this commitment and introduce legislation to implement a national registry. The establishment of a national sex offender registry is required so that all Canadians know that they can live in secure communities where children's safety is of course a high priority.

This government has also taken steps to ensure that the justice system serves the needs of children. As an example, the number of Unified Family Courts has more than tripled since 1995, putting the interests of children first and helping to resolve family disputes.

Our government has expanded the Unified Family Courts to better serve the needs of families in Ontario and to put the interests of children first. Further family court expansion depends on federal co-operation as family court judges are federally appointed. We have informed the federal government that expansion is a key priority of this government.

Since 1997, Ontario has also created 15 child-friendly courts. These courts specialize in child abuse and

domestic abuse cases with child witnesses. Child-friendly courts are designed with special features to help make the courtroom less intimidating for young victims and witnesses, features such as a screen in front of the witness stand to shield child witnesses from the accused and others in the courtroom. We want to do everything we can to lessen the trauma of abuse for children.

This government will also be expanding domestic violence court programs province-wide. These courts give priority to the safety and needs of domestic assault victims and their children. This comprehensive program involves teams of specialized personnel, including police, crown attorneys, victim-witness assistance program staff and others, all who work together to better coordinate the services that are tailored to meet the needs of victims.

In conclusion, protecting children and making sure they have the best future possible is a responsibility we must all share. It is a job for all levels of government and all members of society. Making sure that our children have access to all available support is an essential part of this responsibility.

Our proposed legislation would do just that, by making it easier and less costly for Ontario children and families to obtain support from people who live outside the province.

I urge all members to support this legislation.

**Mr Dave Levac (Brant):** I appreciate the opportunity to talk about the bill that we are debating, but unfortunately it's not really the bill that we're debating; it's time allocation. That means we're going to stop debating about Bill 131.

I had prepared a few other points that I have to come back to first, which is that the member from Scarborough Centre, who just finished speaking, wanted to basically take credit for an awful lot of the things that their government is doing on behalf of children. I want to point out that the very legislation she spoke of was probably due in no part at all except for this one individual, Mr Rick Bartolucci, the member from Sudbury, who year after year—and that's unbelievable—kept introducing the type of legislation that the government finally turned around and realized there was something wrong going on and those children needed to be protected. I want to make sure credit is given where it's absolutely due, and that is to the member from Sudbury who had those pieces of legislation on the books year after year. The government finally picked it up, and we complimented them for doing that, but let's start sharing some of that credit before we start taking it and saying they're the only ones who want to take care of children in this province. It's unfair not to mention Rick Bartolucci in the same breath as that legislation.

The other part I want to make clear is that since watching Project P evolve from the OPP, there has not been very much money sunk into Project P, which is to take care of child pornography on the Internet. Quite frankly, that's a dropping of the ball in a big way. Project P needs to be supported to the tune of maybe doubling the workforce that is presently assigned to take care of that problem, because it's getting worse, not better. I

would ask and challenge the government that if they're concerned about child safety, which they're saying right now Bill 131 takes care of, which I will get into in detail in a moment—I want them to take a look at Project P and support it better than they're presently doing.

I've offered a couple of bills in the last little while that specifically talk about children and safety of children. In my helmet bill I'm asking for a modification to the present law that exists for wearing helmets, that everyone should be wearing helmets when riding bikes—but not just bikes; we're talking about all propelled, wheeled vehicles and asking that helmets be worn.

I've got support from quite a few organizations across the province. I know there are members on the other side who understand that's true because the minister, Dianne Cunningham, made it quite clear when she introduced that bill. It got watered down by this government. It's unfortunate the minister's bill was reduced. Quite frankly, I supported her when she first put it out and said it was a great bill. It shouldn't have been watered down. Why should it take a private member's bill to put it back where it belongs? Quite frankly, that's another area where our children and all adults should be protected.

There's another one: the bill for safe schools in terms of offering a safe haven around schools that my bill is offering us is being picked up by the county of Brant quite well, and I want to compliment them on it. They are doing an audit of safety around schools on their own because of certain situations that have taken place in their municipality, and I totally support them in their action. But I think this should be a province-wide initiative, and that's why I've introduced that bill.

She wants to speak about Bill 131 being almost the be-all and end-all of protecting children, but unfortunately she's not acknowledging something that each and every member in this place, if they were asked what the number one issue that they've heard about in their constituency offices would be, would say, and that's the FRO. It is probably the number one issue that every single member in this House has heard about. It's got nothing to do these agreements they're making with other countries and provinces and other states. It's what's going on in the province of Ontario itself.

The auditor has indicated that in the Family Responsibility Office here in Ontario approximately 128,000 out of the 170,000 registered cases were in arrears as of March 21, 1999. Seventy-five per cent of all the cases in this province are in arrears. The auditor indicated that something's got to get done. He wasn't talking about agreements with the United States or other countries. He was talking about inside this province. That means that at present in this province we're in arrears to the tune of \$1.2 billion of uncollected money for our children and mothers mostly. The disarray that this government created with its cuts to that service has caused it to complicate things right across the board for men, women and children. Unfortunately, this bill, although we applaud it and say it's the right direction to go and that it's not going to be harmful to our children and mothers, has done nothing about the inside of the province.

I want to ask this question: how much are you going to charge for forms, appeals and applications? Quite frankly, some of these mothers have a very minimal amount of income and they're getting asked, when they appeal, to come up with more money, time and time again. We've got to re-evaluate our priorities in this case. We've got to take a look at our own house and clean it up real clear.

The auditor noted that when the payers went into arrears, the office did not have a satisfactory system in place initiating contact and taking the appropriate action that's necessary. It's unbelievable that you would not even have had a system in place that automatically kicks in.

**Mr Ernie Parsons (Prince Edward-Hastings):** Not with this bunch.

**Mr Levac:** It's not happening. The auditor also noted that when the account goes into arrears, more aggressive enforcement measures, such as removing drivers' licences, passport suspensions, bank account garnishment or defaulting hearings, were seldom pursued. That's not a good signal that you're sending to the mothers and children of our province. That's not a good signal at all. In fact, the FRO fails to calculate interest on money owed to families. Can you imagine what the \$1.2 billion owed paying some type of interest would translate into for those mothers and children?

1710

By the way, I want to mention very clearly that we are not talking about the number of cases here. If the other side wants to talk about the children, we are talking about over 230,000 of our children in this province who are not getting the money that's owed to them.

I want to refer to very specific examples that are happening in my riding. I've been given permission to talk about these, and I've taken the names out

This elderly lady has an order with a COLA clause in it, and the amount she receives was increased as of several months ago. The payer has been paying the increased amount—good for him—but FRO has only been paying out the old amount and the remainder is still sitting in an account as a positive balance. She has been unable to contact FRO to get any answers whatsoever as to why several months have gone by without her receiving that increase.

A payer was paying by automatic withdrawal from his bank account each month. The child for whom the support was being paid was no longer eligible. The file has been closed with FRO; he has verification of that fact. FRO has continued to withdraw the monthly amount for the past six months, after the file was closed.

It's a mess. Tell me you're going to fix it up. Please tell me you're going to focus this time and get that right. We want those children to get that \$1.2 billion, with interest.

I have one comment to make about the FRO: I am so sorry that you people are being put through this. The individuals who work for FRO are absolutely swamped. I'm going to tell you that with the introduction of 131 they're going to get swamped even more. So what I am



asking the government to do today or tomorrow or the next day is to commit to the funding that is necessary for us to accomplish the things you claim you want to do. I want to say that the regional offices were working, if you had understood that was the way to get that money into the hands of those parents and children quicker.

I'm tired of the little silly games that are being played by some of the deadbeat dads out there who sign everything over to buddies and friends and dummy corporations and claim they are absolutely broke when they have cottages and boats, when these children are going without anything in terms of month-to-month. I'm challenging the government to step up to the plate and say, "Enough is enough. We want to get those 230,000 kids their rightful amount of money. We want to get those parents who are trying to raise those children properly their money. We want to get the quagmire and all the mess in there done and over with."

I am challenging the government to give us an opportunity—this time allocation didn't give us much time. There is support for 131 from this side. We now have several more countries that we can have these agreements with. By having those countries on board, we want to send a message loud and clear that we've put our house in order. They're going to see crystal clear how we operate. If they see that we can't collect \$1.2 billion and that we have 230,000 of our own children without, what kind of judgment are we going to play? We want to make sure that everyone in every province in this country, in all 50 states in the United States and in the countries we've got those agreements with understands that we will be a leader in this.

We want to be a leader and say we've cleaned up our house, and we want to make sure everyone gets the message loud and clear that we are finished, we're absolutely done, with this mess at FRO. I'm looking forward to the day when I don't have to dedicate one full staff member to nothing but FRO cases. I would like to be able to say we have many other things to deal with. But FRO is causing a problem in this province. It's something we should not take pride in, and I would challenge the government to step forward with a concrete plan on how we are going to clean up our own mess.

**Mr John O'Toole (Durham):** It is indeed my pleasure to rise today and speak for a few moments on Bill 131. I think for the members here today much of the time allocation motion has been talking about other things. I appreciate the fact that earlier our House leader explained how there had been agreement from the three House leaders to include further public consultations.

I would like to put on the record that public consultation on this issue certainly started in 1995. What we inherited from the previous government was the fact that it was in disarray, and in fact we took measures I think to improve it somewhat. That being said, it's like trying to get blood from a stone. The court orders themselves are flowing through the process, and perhaps the courts themselves could be made friendlier for children and for families, and more of a mediation attempt probably

would go a long way to take it out of the court system. But at the end of the day, if the payer isn't paying, this is what this particular bill is really about.

I think the best place to start with Bill 131—indulgence, since not much time has been spent specifically on this. I should say that our minister, David Young, introduced this back on November 8, 2001, as the Attorney General. The idea here is to engage all of the provinces and territories in Canada, at least. At the first ministers' conference in Nova Scotia, that was indeed the topic. The intent there was to get some harmonized agreement across at least Canada and try to set out a mechanism so people can't avoid paying their court-ordered awards.

So the explanatory note in the preamble of the bill—it's very important to put this on the record: "The proposed act is based on model legislation developed by a committee of federal, provincial and territorial government officials to provide simplified processes for the making, recognition and variation of interjurisdictional support orders." So there you have it. In fact, it came from the initiative by this government to try and find a way—people are quite mobile in society today and, that being said, families themselves are somewhat distressed, I think, in society today; that's quite another issue—of making sure those payers—"respondents" is the legal term—actually comply with court orders.

Again, some of the respondents do try to go to some lengths to avoid paying, and clearly there is a deficiency. In our office in the riding of Durham we have very dedicated staff to try and help those families. I appreciate what's being said by the opposition. I too think very often of the children, who are ultimately the persons suffering the greatest implications of not receiving the proper support payments.

For those who may be interested, this is a very legal document made up of I believe five parts. The five parts of the bill: the general preamble; defining new orders; "Registration and Enforcement of Orders Made Outside Ontario" is part III; part IV is "Variation of Orders"; and part V is appeals and miscellaneous administrative matters.

But I wanted to deal with part I in a general sense for a couple of minutes just to make sure the public—we all use these acronyms. FRO, Family Responsibility Office, is the title of that agency, organization, that is supposed to collect the money either through garnishing wages or other mechanisms—a direct cheque.

I might also say that couples can agree to resolve these marital difficulties personally and opt out of the Family Responsibility Office. That would be my first advice to those who can resolve the breakup of a marriage amicably and come to some agreement. There are guidelines, of course, federal guidelines that pretty much dictate what you are supposed to pay.

But for the sake of those listening today, both in the House and across the province, some terms here: "provisional order," for instance. What's a provisional order? It means "a support order of an Ontario court that has no effect until confirmed by a court in a reciprocating jurisdiction." In other words, we could have an order in a

jurisdiction that has no specific mechanism to deal with that order. In fact, a dependent child or something may not be entitled to support. But in all cases, if you read through these sections, you'll see that the very least coverage or entitlement would be the Ontario statute, whatever the entitlement was in Ontario in that order. Or, in the event where the other reciprocating jurisdiction, for example, is in one of the Virgin Islands or one of the American states, the receiving individuals or families would not be any less treated.

1720

"Reciprocating jurisdiction": what do we mean by that? It means "a jurisdiction prescribed as such in the regulations made" under a section. It just means that we will define in regulations where we have agreements with other areas: other states, provinces and territories.

So that is pretty much a description section. I was going through the bill myself because I think it's important for all members to pay attention to what legislation or statute we're actually passing.

"Claimant in Ontario. A claimant who ordinarily resides in Ontario and believes that the respondent"—that's the person who's supposed to pay—"ordinarily resides in a reciprocating jurisdiction may start a proceeding in Ontario that could result in a support order being made in the reciprocating jurisdiction."

It goes on to outline a number of requirements, but the courts will take care of that administratively. They'll get in touch with the other jurisdiction to make sure there is a process in the other jurisdiction or province to actually respond to the court order and that there's a process to resolve those disputes.

I think it's section 3 I'm in now. "Parentage"—what is that in? "If a child's parentage"—that's custody, really—"is in issue and has not previously been determined by a court of competent jurisdiction, the Ontario court may determine the matter." In other words, the Ontario court has a very detailed mechanism to resolve most of these more administrative problems of the reciprocating jurisdiction.

To this date, that has been one of the problems. That family, children and spouse, male or female, might already be in difficult financial circumstances. Simply, it's to take as much red tape out of it as possible and to make it clear and transparent to those people who are waiting for the cheque.

I can tell you that our government, our Attorney General and certainly our minister of social and family responsibility are interested in making sure vulnerable children are not lost in all this minutiae of the legislation.

But on reading this, "Variation in orders between reciprocating jurisdictions," all of this really says that we've been trying to get a mechanism harmonized inter-provincially and between other jurisdictions, not just in Canada but in the United States, indeed around the world. It would be my hope that they would push this so that people, as we heard in the news yesterday, fleeing to other countries, maybe taking children—that there's a mechanism to protect the family.

I keep coming back to the importance of the family in our society. I think the government has done a lot of things.

I want to put on the record as well that we've created 15 child-friendly courts since 1997. That's a very intimidating process for the children to go through, and what they would have gone through before they got to court is even more daunting. The courts are designed with special features to make the courtroom a less intimidating place for child victims and witnesses.

We've committed to expanding the domestic violence courts program province-wide. This program gives priority to the safety and needs of victims of domestic violence and their children. Teams of specialized personnel such as police, crown attorneys and victim/witness assistance program staff work together to ensure that the services are tailored to meet the needs of the victims.

If I look at the record so far, I think the government is moving on many fronts, not just on the Family Responsibility Office administrative difficulties and on the inter-jurisdictional and the amount of paperwork etc.

I believe that mandatory mediation—and I'm more or less on my own here on this—is really a far more appropriate mechanism in most cases when we're dealing with custody and support orders. There is a schedule for support orders based on income, but also, on custody, there has to be a mechanism for the two people to get together to find out what's best for the children. I think a mediation process, as opposed to an intimidating court environment, might be the best mechanism.

It's a sad reality that children in our society find themselves victims or witnesses to abuse. We must do everything to lessen this most traumatic experience in their lifetime.

I mentioned earlier that this government has increased funding to child welfare agencies by 139%. In 2001-02, we spent over \$850 million in this area. This funding will help children's aid societies to respond to the increase in demand for services and better protect the vulnerable children they are to assist. There are 52 children's aid societies in Ontario, and they provide a wide range of services to safeguard children in this province. These services include the investigation of child abuse, counselling for families where a child might be at risk, provisions of substitute care such as foster homes or group homes, and protection of children. Children should be able to grow up and live in an environment where they feel safe and protected. This is a priority for our government, in fact I would say a priority for all of us here.

Every child should have an opportunity to reach his or her full potential and lead a healthy, productive life. This government recognizes this and provides programs and services to help families with young children.

It's known that the first six years of a child's life have the greatest impact and are the most important when it comes to learning and developing. The Ontario Early Years plan provides funding for a number of initiatives that support young children during this critical period of development.



Some of the initiatives under this include:

—Funding to support 42 Ontario Early Years centres that currently operate across the province, with a new centre to open this fall and an additional 61 new centres set to open next spring. At these centres, parents get answers to questions about their children's or child's development and referrals to programs and services that are available for young children.

—Funding to provide early literacy specialists—they are linked to the Ontario Early Years centres—who work with children, families and front-line professionals to promote effective literacy programming in the community.

Another important issue facing many families today is child care. Parents face tremendous challenges in maintaining the balance between work and family. It is important that they have child care options available to them that fit their individual needs. Families need flexibility, and this government recognizes the importance of supporting families in meeting their child care needs. This year alone we will spend over \$700 million to assist parents who need child care services. In particular, \$200 million of this funding will be designated for low- and modest-income hard-working Ontario families, the families who need assistance the most, through the Ontario child care supplement for working families.

Our government is committed to supporting families and children. These are just some of the many programs we have in place to help children get a good start in life and assist families living in Ontario.

The safety and well-being of families and children is a priority for this government and for me personally. The Interjurisdictional Support Orders Act is just one of the many fronts that we are acting on, and will continue to act on, on behalf of families in this great province of Ontario.

It is our belief that no child should ever go without simply because one parent has left the province.

At the annual Premiers' conference, as I said earlier, our Premier, Ernie Eves, provided the lead to find agreement between other jurisdictions. To some extent there's been failure at the federal level. I could go on, if time permits, about that. The Premier is committed to introduce effective reciprocal support orders legislation in all provinces and territories.

I just want to spend one more minute, because I am going to be sharing my time with a couple of other members from our caucus who are very anxious to speak.

Our government has urged Ottawa to enact parallel legislation by amending the federal Divorce Act by the summer of 2002. We all know that the federal government has yet to move on this issue. This measure would streamline the process for establishing or changing support orders issued under federal, rather than provincial, law.

It is important for governments to work together to ensure healthy and prosperous futures for our children and indeed for all of us.

One must also understand the jurisdictional issues with respect to the breakup of a family in this country.

Through our constitutional powers, the federal government has jurisdiction with respect to divorce and custody orders arising out of that, and the provincial government has jurisdiction with respect to dealing with property matters arising from family dissolution.

1730

There's more to be done and I'm confident this government is moving in the right direction, thoughtfully and consultatively. I think, even today, having the public prosecutor is probably a good step, to make sure there is adequate legal defence and a legal voice for those who find themselves in the court system.

We have to do everything we can to support vulnerable children whose experience in life and growing up is being affected by delinquent parents. Often delinquent parents or divorce or those kinds of issues are complex issues, dealing with financial hardship and other relationship issues, but I believe that if parents settle down, they will realize that their first responsibility is to their children.

I believe the delinquency of people in support orders is something this government and all provinces have been calling for. At this time we need to work together with our federal partners and other jurisdictions to make sure this interjurisdictional legislation moves forward swiftly and effectively for our children.

**Mr Dwight Duncan (Windsor-St Clair):** I listened with great interest to my colleague from Durham and his speech. I want to remind you and the people listening tonight that we are not debating Bill 131 tonight; we are debating time allocation, closure, shutting down debate yet again.

Let me put on the record, as my colleague the House leader of the third party said, that we support the bill. What we wanted was a couple of days of public hearings and committee hearings to put amendments to the bill. I don't want to get into a debate with the government House leader about the fight he and the third party House leader had with respect to that, but suffice it to say, in my view and the view of the official opposition, this bill lent itself to that. There should have been a couple of days of hearings and it should have been done without sacrificing one of three days of second reading debate in the House. It's not a lot of time to spend on one bill, particularly one that's this important, one that I think all of us want to support.

For our part, in the official opposition, we too have some amendments we'd like to put forward to the bill. The government may or may not want to take them, but we probably won't get that chance now.

This notion of stopping debate before it's been allowed to happen is a relatively new concept. Premier Eves has talked about how he wants to emulate Premier Davis's style more than Mike Harris's style. In the Davis-Miller governments—and I see Mr Sterling across the way, who served in those governments—they passed 292 bills in those five years and they used time allocation or closure three times in five years.

*Interjection.*

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Third Session, 37<sup>th</sup> Parliament

**Assemblée législative  
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Troisième session, 37<sup>e</sup> législature

# **Official Report of Debates (Hansard)**

# **Journal des débats (Hansard)**

**Monday 30 September 2002**

**Lundi 30 septembre 2002**

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 30 September 2002

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 30 septembre 2002

*The House met at 1845.*

## ORDERS OF THE DAY

### TORONTO WATERFRONT REVITALIZATION CORPORATION ACT, 2002

### LOI DE 2002 SUR LA SOCIÉTÉ DE REVITALISATION DU SECTEUR RIVERAIN DE TORONTO

Resuming the debate adjourned on September 25, 2002, on the motion for second reading of Bill 151, An Act respecting the Toronto Waterfront Revitalization Corporation / Projet de loi 151, Loi concernant la Société de revitalisation du secteur riverain de Toronto.

**The Deputy Speaker (Mr David Christopherson):** It's my understanding there are a few minutes left on the clock, but that that time will be waived. Therefore, the floor now goes in rotation over to the government side and the Chair recognizes the member for Malton-Gore—I blew it, didn't I?—Bramalea-Gore-Malton-Springdale. My apologies. Please proceed with your speech.

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** Thank you. You're quite right; I know it's a long riding name. I'm very pleased to be representing the riding, though, so I thank you for allowing me this opportunity this evening. As people watching at home will realize, this is the late sitting, from 6:45 onwards till 9 o'clock. I hope I get all the time to speak till 9, but I may not, because I think other members might want to share the time.

This evening, for the people watching at home, we're speaking on Bill 151, which is the Toronto Waterfront Revitalization Corporation Act, 2002, and I rise in the House today to voice my support for this bill. This proposed legislation would create a permanent Toronto Waterfront Revitalization Corp or, in short—it's a cumbersome name anyway—the TWRC.

The permanent corporation is designed to replace the interim corporation that has been in place since last November. The TWRC would have significant responsibilities for developing and revitalizing much of the undeveloped land along Toronto's central waterfront.

As members know, this is an area of the city that has been neglected for many years and everyone agrees it is long overdue for investment. As I travel throughout

Canada and North America, if I'm lucky enough, I always have comparisons with cities like Vancouver, Boston and Chicago. They've done wonderful things for their waterfronts. I'm hoping that, through this bill and through the commitment the provincial government has made for the waterfront, we will also have not only in name but in actual reality a world-class city where we can attract the much-needed tourism for our industries here.

The fact is, revitalizing Toronto's waterfront is of tremendous importance both to the future of the city and to the future success of our provincial and national economies. From this perspective, the establishment of a permanent waterfront corporation to oversee this major development and redevelopment project is of vital importance.

As members of this Legislature know, the city of Toronto and the greater Toronto area have long been engines of growth for Ontario's economy and indeed the economy of Canada. Both the city and its surrounding regions are expected to experience further significant growth during the next 25 years.

Certainly my riding, Bramalea-Gore-Malton-Springdale, is growing very well. We are welcoming all the new residents, as many as 15,000 residents a year. Along with growth, there are always some infrastructure-type concerns, problems in terms of congestion on the roads, but I'm pleased to say that this government is acknowledging those and addressing those, as we should be addressing those.

I was quite intrigued reading an article recently in one of the latest issues of Maclean's magazine where they chose an example—not an example but a story where someone had moved away from Vancouver into Kelowna, wanting to get a better, easier and quieter life, but then they were missing the sounds of the traffic. They compared the traffic with making deals and with life in the community, so they were quite happy to come back to the city. So it's a nice thing to have traffic. I don't think we want to go back to the days of the 10 lost years when there was nobody travelling and everybody was sitting at home and not working.

**1850**

We need to meet the many challenges this growth will bring by planning and making new investments in infrastructure and other vital facilities. We need to coordinate those investments effectively, because they will come from many partners, including the private sector.

A permanent Toronto Waterfront Revitalization Corp, TWRC as I said before, would act both as a catalyst and a

conduit for investments in Toronto's waterfront. It would also present the significant and varied interests of the city of Toronto, the Ontario government and the government of Canada. It would enter into innovative partnerships with private sector organizations to transform a forgotten part of the city into commercial and residential communities, parks and green spaces.

Today, as you know, there was a throne speech from the federal government. One of the OMNI channels asked me to comment on that just about 40 minutes ago. I said it had great rhetoric, all kinds of wonderful promises made. But as we know, in the past when they had the federal Red Book—I'm sure you remember—they were going to scrap the GST and they made all these promises. Then they came back and said, "Do you know what? Maybe we'll increase the GST to 10%." So you don't know how much you want to believe the throne speech.

Nonetheless they made some effort to say, "We want to work with the provinces, and we want to perhaps increase health care funding," and it's long overdue. As you know, in the 1960s as medicare came in, it used to be a 50-50 partnership. Then in 1993, or around that time, the federal share was dropped to 18 cents from 50 cents. Currently they're funding 14 cents on the dollar. I'm hoping they won't break their promises in this throne speech and will start funding health care, hopefully from 14 cents to 18 cents and onward at some point in time to 50 cents on the dollar. They do have the money, as we know. They have a surplus sitting there, and we hope they will recognize the needs not only of Ontarians, even though I am speaking for Bramalea-Gore-Malton-Springdale, Ontario. More money should be coming for all Canadians. So I'm hoping, even though I know we are all going to be disappointed, because they make all of these promises but they never deliver.

The permanent TWRC, as I said, would develop specific plans and seek willing partners to undertake the massive redevelopment work that's needed along the lakeshore. It would do it under the leadership of Robert Fung, whom I've had the honour and privilege of meeting, whose vision of the waterfront's tremendous potential has fired people's imaginations and raised expectations for the future of this area.

As members will know, the city, the province and the federal government have formed a unique partnership with a view to renewing the waterfront, long overdue. Each level of government has committed \$500 million, for a total public investment of \$1.5 billion, to kick-start the revitalization process.

It is perhaps interesting to note that many of the members opposite have talked about this government's so-called neglect of the city of Toronto. They have complained about municipal amalgamation, about local service realignment, about cutting red tape and about initiatives to reduce the size and cost of government. They've also alleged that we don't care about Toronto, and that we have not been investing enough in its future. In this regard it may interest members to know that two of the most prestigious accrediting firms, Moody's

Investor's Services of New York and Standard and Poors, have recently acknowledged the benefits of our government's initiatives for Ontario's municipalities, particularly Toronto.

Last week, Moody's Investor's Services announced that it had raised its debt rating for the city of Toronto from AA to AA1. Here's a quote from the press release issued by the company on September 26:

"The upgrade reflects the city's strong fiscal performance in the face of many organizational and financial challenges in recent years, combined with an increased provincial presence in funding municipal infrastructure projects."

Moody's goes on to note that Toronto has successfully managed the challenges associated with amalgamation and local services realignment, while maintaining fiscal discipline. The company also points out that the local economy which expanded very rapidly during the late 1990s continues to be resilient despite a more general economic slowdown elsewhere.

The Moody's news release is very specific about the provincial government's role in helping Toronto to achieve this higher debt rating. The company says, "A provincial commitment to provide financial support to transit projects will provide new funding to the city, helping to offset pressures.

"Furthermore, the creation of a new provincial agency, the Ontario Municipal Economic Infrastructure Financing Authority, and the provision of provincially subsidized lending through this body will provide additional benefits to Toronto. The re-emergence of the provincial government as a provider of funding for infrastructure will help Toronto keep its debt low while allowing for plenty of new capital investment."

Another major US credit rating firm, Standard and Poor's, has also recently acknowledged the support the Ontario government is providing to municipalities. In a September 5 news release the firm confirmed Ontario's AA credit rating. The company also noted the financial benefits that the proposed Ontario Municipal Economic Infrastructure Financing Authority will have for Ontario municipalities.

I recognize that some members may not be aware of the significant benefits that will flow from the creation of this new financing agency which the Premier announced in August. The agency is called the Ontario Municipal Economic Infrastructure Financing Authority, OMEIFA. I hate to use the shortened names, they confuse people, but nonetheless it is a part of the government and that's how things operate sometimes in the bureaucracy.

It begins its existence with an initial capital infusion from the province of \$1 billion. That's a handsome sum. We need to do more, but it's a good start: \$1 billion. That money can be used by municipalities to subsidize 50% of the interest costs of any funds borrowed through this authority.

In addition, the Ontario Clean Water Agency, OCWA, will work with the authority to provide an additional \$120 million to finance municipal water and sewer infrastructure projects.



The creation of the new municipal financial authority complements the government's previous announcements regarding the creation of tax-free opportunity bonds to help municipalities raise money for vital infrastructure projects. The pool of capital created through the new authority will further reduce municipal financing costs for infrastructure. The amount of capital available to local governments will expand in future, as the financing authority begins to issue opportunity bonds.

Opportunity bonds are tax-free bonds that municipalities can use to help raise money for local capital infrastructure investments. Unlike a standard bond, the interest earned by investors on opportunity bonds would be tax-exempt. This tax-free status will make the bonds more attractive to investors even though they generally yield a lower rate of interest than conventional bonds. We will consult and work in partnership with municipalities, the federal government and other stakeholders to design the most efficient and beneficial opportunity bonds program. Consultations have been announced to take place throughout Ontario during September, October and November. Details about the opportunity bonds program, including the consultations schedule and a means for communicating feedback on the proposal, are on the Ministry of Finance public Web site.

1900

I can again, they can certainly access most of those facilities through my Web site, [www.ramindergill.com](http://www.ramindergill.com)—very easy to remember. So I do encourage people to visit that as often as they get a chance, and feel free to send me their questions, because I'll be very happy to pass on their concerns, as need be.

The consultations will seek the views of municipalities and businesses on whether they're interested in other financing and economic development tools.

We'll be engaging stakeholders at a number of forums, as well as through a province-wide tour, to ensure that as many communities as possible have an opportunity to provide input.

The federal government's participation will be essential to the consulting process.

**Mr Michael Prue (Beaches-East York):** On a point of order, Mr Speaker: I find this all very interesting, but for the last 10 minutes, I haven't once heard "waterfront revitalization" or "Toronto."

**The Deputy Speaker:** Is that it?

**Mr Prue:** That's it.

**The Deputy Speaker:** Then take your seat. I think the speaker will bear that in mind. I'm not going to rule in favour of the point of order, but I would ask the member to ensure that he doesn't stray too far from the point, which of course he usually does not.

**Mr Gill:** I'm pleased to see that the members opposite, and there are two of them, are both listening. So I'm pleased. But there's more to what I'm speaking about, specifically about the waterfront redevelopment.

It is hoped that they will help municipalities renew and expand their infrastructure by joining Ontario as partners in providing a tax exemption for municipal bonds and contributing to the OMEIFA.

These funds are very, very important to have—to have the partnership between the municipalities, the provincial government and hopefully the federal government, so that we can revitalize the much-needed waterfront in Toronto.

I've outlined this innovative new financing initiative at some length to highlight the fact that the government of Ontario has been very active in developing effective solutions to help municipalities finance local infrastructure. They've always said the municipalities don't have enough money, but here's a tool. They've always said they want more power to come up with innovative solutions to financing. Here is a tool where the investors can now get involved in these bonds and create the much-needed money that they need for this vital project.

The creation of OMEIFA and the provision for opportunity bonds are two important initiatives in this regard, and in a sense, the redevelopment of the Toronto waterfront is another one.

As I've already mentioned, a total investment of \$1.5 billion has been committed to the waterfront redevelopment project by the city, the province and the federal government. This money will help revitalize and transform Toronto's waterfront and will help kick-start the process of finding private sector partners to invest in the city's future.

At the end of the day, our investment will help strengthen the city's international competitiveness, and that is good not only for Toronto, but also for Ontario and the rest of Canada. In the process, we'll be creating thousands of new jobs, our neighbourhoods and our new facilities for living and working in downtown Toronto.

Mr Speaker, I'm always very encouraged as I travel close to York Street, coming into downtown, because there's a huge number of cranes. I know you do the similar drive every day. As the previous Premier used to say, "Cranes are back." It's great to see so many cranes because construction's back. People have the confidence, they're building, and that creates confidence in consumers as well.

Bill 151, the one we are speaking about this evening, fulfills a provincial commitment to take the lead on waterfront redevelopment through the creation of a permanent waterfront revitalization corporation. If the Legislature approves—I'm hoping they will, in the discussion and the debate today—we will have taken a significant step toward unlocking the waterfront's tremendous potential. There's no doubt that potential is significant.

As Mr Robert Fung, who chairs the Ontario Waterfront Corp, has pointed out, he could be looking at a series of major projects that might include: 10 million square feet of new commercial and industrial space, an amount equal to the floor space of five SkyDomes; a total of 74 hectares or 183 acres of new public park land; up to 35,000 new permanent jobs, an estimated 165,000 person-years of employment in construction.

Mr Speaker, I do have a lot of points that I want to make but it looks like I might be running out of time, so at a later date, perhaps, I'll come and join the discussion again.

**The Deputy Speaker:** Thank you. Members now have up to two minutes for questions or comments.

**Mr Rick Bartolucci (Sudbury):** I'd like to comment on the comments of the member across the way. Certainly, obviously, he's supportive of this and I know his government is supportive of it. They may have come kicking and screaming to the table, but they came to the table. We know that the federal government and the municipal government took the lead, they were the lead governments on this, so the reality is the provincial government had no recourse except to come to the table. I'm glad they came to the table because this is an important project for the city of Toronto, and I think it sends a very positive message to the other cities and towns across Ontario.

The member spoke about the importance of competency. I guess if I have a problem, it's the provincial government's representatives on this commission. Bill Farlinger has become a rather influential individual since he rode in a bus in 1995 with Mike Harris as they rolled across Ontario and ultimately, in my estimation anyway, haven't made Ontario a better place. But certainly Bill Farlinger did pretty well. He's pretty influential at OPG and he's going to be here. I don't know if the competency level is as high as I would want it to be with the representatives for the provincial government, but that's for them to decide. I would just hope that no conflict of interest arises. You obviously have one with Al Leach being on the board of SNC Lavalin and also the vice-chair of GO Transit. That's an obvious conflict of interest, so that's one of the things I'm concerned about. But we'll let the debate unfold.

**Mr Prue:** I listened with great interest, and it's good to know that the city of Toronto is appreciated by Moody's, among other groups. But I think I need to stand and say that all is not well in the city of Toronto. I think those of us who live in this city, those of us who are downtown, who are not tourists who come here during the day and leave at night, see that a great many things are starting to go wrong.

We can see that the city of Toronto is suffering from a service delivery—that although it has gone into four different quadrants and is being serviced from four different areas, it is not being serviced identically across the city. We're seeing pockets of problems in our parks and in our streets, which are not nearly so clean as they once were.

We're seeing the problems in municipal governments, whereby access by ordinary citizens has declined to the point that it is now truly becoming frightening. Toronto, before amalgamation, had some 1,300 meetings where local citizens could come together and meet face to face with their politicians and talk about the issues of the day in their neighbourhoods. Last year in Toronto, there was only some 30 local meetings. So we have gone from 1,300 to 30. We can see that in the city of Toronto, like many municipalities, tax increases are now the order of the day. The last two successive years have seen 5% tax increases, and the forecast by the treasurer of that city is

that one can expect 5% or more tax increases for at least the next 20 years to come because the tax base is no longer able to sustain itself.

You are starting to see urban decay. You are starting to see gridlock. So although Moody's is most happy with the financial picture in Toronto, those who live in this city are starting to see some cracks. Hopefully the waterfront will be able to help repair and bring some new vibrancy to this city, which is sorely in need of it.

**1910**

**Mr Pat Hoy (Chatham-Kent Essex):** I am pleased to rise and make comments on the remarks by the member opposite and just remind the House that Ontario Liberals do support this bill. We support the efforts of development and revitalization.

It's interesting to note, however, that such important issues as development and revitalization should be dealt with promptly. We know that this bill has sat on the order paper for almost a year and was mentioned in the 2000 budget some two and a half years ago. Once again we see that the Harris-Eves government is long on promises and short on delivery. This happens over and over again with the Harris-Eves government.

We could certainly stand some assistance in my riding of Chatham-Kent Essex on development and revitalization when it comes to doctors. For my very first public meeting in 1995, where I invited the public to come and comment on revitalization, what we needed and most specifically the medical situation, it dealt with doctors. The government should know that when businesses want to set up shop, open and create jobs, they come to an area and they say, "First of all, what is the situation with your medical care? And what are your schools like?"

They're closing rural schools in my area, which is detrimental to bringing in jobs. We have too few doctors. Persons who live within the riding and always have do not have doctors. People moving to the area call my office and say, "Where can I find a doctor?" We need help in many areas of the province that are chronically underserved. This will bring about development and revitalization, because the companies I'm speaking of can buy the mortar and bricks anywhere but they need the services for their employees.

**Mr Tony Martin (Sault Ste Marie):** I didn't hear the member across the way speak even for a moment about the fact that just last week his government sat by while many of Toronto's citizens were kicked out of the only homes they could find, on the waterfront at tent city; or why they didn't get together with the municipal government of Toronto and Home Depot to come up with a solution that would have seen these people housed in a dignified manner that reflected the richness that exists in this province and in this country.

It's actually quite disappointing, which brings me to the other point I didn't hear the member reference at all: any kind of a commitment to affordable housing or social housing on the waterfront. We know they're committed to making sure their friends on Bay Street are going to be looked after. They did that to organizations like Brascan



with their hydro deregulation. I was hoping to hear something more about that from the member tonight, but he obviously didn't want to talk about that.

I'm proud to say that our leader, Howard Hampton, has put forward a private member's bill called the Toronto Waterfront Fair Housing Act. We want to ensure that affordable housing is part of the vision so that we aren't just building an enclave for the rich.

If our act had been in place and we had been the government last week, we would have brought all the players together—the city, the federal government, the people on the waterfront in tent city and some of the people who advocate on their behalf—and we would have come up with a plan that would have seen something perhaps unique and exciting happen on that property that would indicate the kind of direction we would want to go in as a government to make sure everybody was being served.

**The Deputy Speaker:** The member for Bramalea-Gore-Malton-Springdale has up to two minutes to respond.

**Mr Gill:** I do appreciate and thank the members who took part in this response to my notes: the members for Sudbury, Beaches-East York, Chatham-Kent Essex and Sault Ste Marie. It does show that they were at least listening. We do know that previous Ontario governments have toyed with the idea, and they never did anything when they were in government. At least we are here with SuperBuild to make sure the funds are there. We don't want to do it alone; we can't do it alone. We want the municipalities and the federal government to be partners.

The member from Beaches-East York talked about "tourists come and tourists go." We want to make sure that tourists come. As you know, new attractions bring close to two million additional visitors to Toronto each year. We are very supportive of that, because we do need them.

The member from Sault Ste Marie talked about tent city and social programs. The best social program anybody can come up with is more jobs—one million more jobs in Ontario in the last seven years, and the cranes are back, like I said before.

I saw a beautiful bumper sticker the other day while I was driving. It read, "I go to work. I fight poverty." That is the best social program we can create for the people of tent city, for people in need—a hand up, not a handout. I'm very pleased to be part of a government that recognizes that Toronto is a great city and that we need to nurture its development. I'm happy to support this bill. I know the members opposite support this bill but, being members of the opposition, have to say they don't. I'm not sure where they stand.

**The Deputy Speaker:** Further debate?

**Mr Mario Sergio (York West):** I'm delighted to join the debate on Bill 151, the so-called Toronto Waterfront Revitalization Corporation Act, which is actually the only thing in front of us here tonight. There are no politics in front of us tonight, there is no Standard and

Poor's, there is no measuring the standard of the government. Those are there to be discussed at other times, and I'm sure we will have our opportunity. This bill, even if it were approved tonight, isn't going to put a shovel in the ground tomorrow—but finally, to see the government moving to do something positive, something concrete, something with a vision, if I can say, with respect to Toronto and especially the revitalization of the lakefront in Toronto.

This is what's in front of us. It is to have this corporation legitimized, hopefully with a most distinguished board, a most distinguished bunch of people representing the corporation and the interests of the people of Toronto, hopefully with the scope, the purpose, the power, the aims to really do something that should have been done perhaps many years ago. But we are moving. This bill, of course, was introduced almost one year ago.

In his final remarks the member said, "I'd like to know where the opposition stands." Well, let me tell you. There are benefits to seeing that this bill proceeds, and I'll make my remarks with respect to that. There are reasons for seeing that this indeed proceeds, because we are not dealing with politics or if the province has a triple-A or a triple-B rating or whatever. It has to do with the city of Toronto, which is the heart of Ontario and the economic heart of Canada. If it's done properly—

*Interjection.*

**Mr Sergio:** Indeed, I'll second the member there—we have an opportunity to do something with the lakefront of Toronto and the city of Toronto that we can really be proud of. I trust that with the various appointments from the three levels of government, because this is something which is funded by the three levels of government, we will have wonderful people under the direction of Mr Fung, who will proceed with the utmost sense of responsibility and show leadership and say, "We have a vision for the next 20 or 25 years. We will be making the Toronto lakefront and Toronto as a whole the jewel of North America, and we can really say we can compete with any other city in the world."

**1920**

When we talk of revitalizing, we are not just talking about the lakefront. Having been around for a number of years at the municipal level, and I have seen what happened to the lakefront in Toronto, I'm ashamed to say that we deserved a lot more, a lot better than what we have presently at the lakefront. But at least we are moving.

So let me say to the members on the government side: this has been a year on the books, but it's there. We are here for second reading. We're not even at the final stage to get it out of this House, but we're getting there.

It is the establishment of a corporation which will have to lead this wonderful idea of doing something with the waterfront in Toronto. It is to redevelop for the next 20, 25 years, and maybe into the future.

Let me say at this stage, because we are just now in the discussion—when I say "we," I mean the city of Toronto—they are conducting a number of public hear-

ings with respect to the new proposed official plan for the city of Toronto. I think this comes at a very propitious time, when the city of Toronto says, "Well, we see growth, we see potentials, and we have to do it in a very comprehensive but in a very orderly fashion." I will get into transportation and housing, if I have the time.

I think this is at a very propitious time for the existing leaders in Toronto, Toronto municipal council, and the people who will be leading this agency, if you will, the waterfront corporation, to really work together and say, "How can we incorporate our vision for the waterfront with the new official plan of Toronto?" I think both of them must work together, because I believe we cannot have a vibrant waterfront without a healthy, vibrant city of Toronto. You've got to have the waterfront, you've got to have the city core and you've got to have the rest of the city.

I don't have to tell you that every one of us from time to time has had a chance to perhaps take a trip, go on a holiday, visit many other places, and many, many times we have been told, "Well, make sure that you stick to the oceanfront in the hotel strips, in the walkway. Don't you venture yourself going on the back streets."

We don't want that. We want to make sure that when people enjoy the amenities that will be created on the waterfront, equally—equally—they will be enjoying the core and they will be enjoying seeing the rest of the city, from one end to the other. Only then can we say that we have accomplished a very successful vision 20 years from now.

I don't know about my colleagues in the House, but I'm planning to be here 20, 25 years from now to see exactly the fruits of what we are doing today. I don't see anybody getting the joke, but that's what I intend to do. If I'll be there, that's another story, but at least I can say today that—

*Interjection.*

**Mr Sergio:** —absolutely—that we have an opportunity to engage this wonderful corporation here, and say, "We want something to be done with the waterfront in Toronto." And why not? Why not?

The benefits are innumerable, absolutely innumerable—economically, socially, culturally. Toronto is what it is today, and it can be a lot more tomorrow. But it's up to our vision of today, and in appointing the leaders of the corporation, it's up to their leadership; it is up to their vision.

I hope that all levels of government which have a share in this can retain responsibility and oversee, as the document is showing us, that on an annual basis they will have to supply various documentation, accountability, budget proposals and so forth; that indeed, every level of government, putting aside politics, will oversee in the best interests of all Ontarians, because I believe that whatever flows from the city of Toronto, everyone has to gain; that the members leading the corporation will propose the best plan and get on with it as soon as possible so that in the future we can say, "Yes, indeed, it has been successful."

Let me touch briefly on some of those things that we should benefit from or we will benefit from. It is not only making a beautiful waterfront, walkways, nice green grass and trees and flowers; I think it's a lot more than that.

This envisages a long-term plan, the next 20, 25 years and probably even beyond. It requires a lot of effort from a lot of people, especially from the three levels of government. I want to say to the member across the floor and the members of the government that funding is not stopping here. I think this requires a lot of commitment on behalf of the three levels of government. But I hope, as they say, that this will eventually have to be a partnership of the public and private sectors so that it's not going to be a burden on the city of Toronto and the taxpayers of Ontario.

I have to tell you that we have seen in the past some wonderful projects in the city of Toronto but, in the end, I have no idea if they were so economically wonderful for the people of Toronto. I'm going to have to remember which projects those were, but I think they were not at the same level as Expo 67. I think we've had our share of sinking money into losing propositions.

You would create a tremendous economic potential for us here in Ontario, in Toronto, for all our people: long-term jobs. Economically, I think it would bring a boom to various industries, not only in the GTA but within Toronto itself: restaurants, entertainment facilities, shops, theatres, hotels, convention centres. It would be a people's place first of all, of course. I hope this would be the main aim. Jobs would come with putting the shovel into the ground and saying, "Finally, we are there."

As I said at the beginning to my colleague on the other side, let's not talk about politics or Standard and Poor's or Moody's or whatever with ratings; let's see how far and how quickly we can go so we can get to work, because we are already not one year late but many years late.

Socially, we know the benefits that can occur to Toronto and the people of Ontario. We are already blessed with the richness of a number of events over the years, many cultural events, from downtown to uptown to the Danforth area, where people come from all over the world to attend, to enjoy and to join with the people of Toronto as well.

Culturally, I think it would be even better. Where else would you go in the world but to a city like Toronto, which is, yes, clean and safe and has a number of recreational facilities, artistic facilities, theatres? We are attracting some of the best shows in the world and they keep on lasting for months and months, and I think we need more of that.

I think it's up to us that this revitalization, as we call it, this transformation, if you will, does take place and takes place in the most responsible way. Accountability, of course, yes. That goes without saying—God forbid, we don't want to see any more 407s; I think this goes from one end of town to the other; while we are talking about the lakefront down here, the 407 is practically in



the boondocks with respect to downtown Toronto—but not along the same lines and the same experience.

I say to the government, you have our blessing, because we see this as something that has to happen, as something positive. But most of the co-operation must come from the provincial level itself, and not to play politics with this issue, because it is too big and too important to play politics with.

1930

This is not the occasion to remind the government members that Toronto is being depleted of one of its major resources: \$1.76 billion is being collected by our friendly government here, supposedly to go for education, but it's not going there. We have seen the effects of downloading; we have seen the effect, for example, of no more funding, no more subsidies for transportation.

*Interjection.*

**Mr Sergio:** We know it. We've already said that and I said I won't go into that because this issue is too important to play politics with.

But there are other things attached to it. In order to make it work, in order for this vision we have—the province, the feds and the city—to work, the revitalization cannot and must not stop at the waterfront. There are a number of other things that must take place at the same time, concurrently, if this is going to work. I know the Premier knows that, I know the Prime Minister knows, I know our mayor and I think most people in Toronto know and I'm sure that even the people who are supposed to be appointed to the corporation know that we are not stopping there.

There is another part just north of the waterfront that must be addressed at the same time as well. When I say that, I'm referring to transportation improvements, new extensions, maintenance to the existing ones. For example, we need some expansion or renovation at the existing Union Station. We have to address the environmental issues and problems with respect to the Don River where it comes into Lake Ontario. We have to address the industrial and port lands as well. This must become part of the entire revitalizing plan.

While it is part of the waterfront revitalization, there are other factors which must be addressed as well, and so they should be. We have the expressway and Lake Shore. We have streets which are part and parcel of the waterfront that must be addressed. Some assessment studies must be done as well with respect to that. It's not only a question of saying, "Well, we are proposing this plan at the waterfront. It looks beautiful. Let's do it." In order to make it work, to make it functional, we have to address the other issues which become part and parcel of the entire waterfront renewal plan. I'm sure they know that. I'm sure they do, from the feds to the provincial government and most of our own local municipal people.

The aim of this new corporation would be to take the lead and address exactly what we would like to see at the waterfront. I hope we can move fast enough so that we can have some local input as well, because we are saying to the corporation, "Here you are. You have been appointed. Take it and run."

I still hope, and I'm sure all levels of government will retain some sense of responsibility and urgency to require and seek input from the people of Toronto as well. After all, they are the ones who will be paying a lot of the bills and consequences. There will be a lot of them who will be living in the city, and I think we owe it to them that indeed the members of the corporation will come to the city of Toronto people and say, "We are ready to go. Let's do it."

I did mention before that we've got to look beyond the limits of the waterfront. When we as Torontonians, as Ontarians—people coming from the States or other parts of the world can very willingly, safely, happily, enjoy the rest of the city without seeing our people lined up on a subway grill trying to keep warm. We don't want to see homeless on our streets. We want to make sure that we provide for those people. We want to make sure that the success of the waterfront incorporates every other facet of the plan itself. Only then can we say that we've accomplished what we envisioned some 10, 20 years ago with the waterfront revitalization.

If we give them the purpose, the power, the direction, we must seek their leadership and make sure that, indeed, the waterfront will be a waterfront for all Ontarians and Torontonians to enjoy, where we can very well say, "Yes, indeed, Toronto has finally become the world city that we always wanted." Until then, until it stays on our books in here, until we continue to debate it and then move it to the action, nothing is going to happen.

I have to throw this in: let's not play politics with this issue. Let's not hang on to it until we have the next election, for the sake of saying, "Oh, yes, here it is, look what we're doing." This is not an issue to play politics with. I think the opposition is in favour. We are only waiting for the government to say, "We need it. We've been waiting for a year; let's get on with it. Let's give them the power, let's give them direction, let's give them the leadership." But the leadership must come from us in this House first. So I hope the government is listening, and we hope that we can get on our way soon.

**The Deputy Speaker:** It is now time for members to take up to two minutes for questions or comments.

**Mr Martin:** I want to say I appreciate the comments by the member who just spoke, the member for York West. I agree with him that we need to get on with this and it needs to be a mix of activity there. Certainly we in the NDP caucus support the provincial and federal action to redevelop Toronto's waterfront. In particular we support a vision of mixed income housing, offices, public space and cultural facilities on the waterfront. In particular we're looking to make sure there's some housing that's affordable for all people there.

It's about time the government got on with it. They've waited for two years after the announcement to move this important project forward. We'll be watching to make sure that public assets are not given away and that there is sufficient public accountability. Our critic for Municipal Affairs and Housing, whom you'll hear from in a few minutes, Michael Prue, has put together a compre-

hensive urban vision document. We will provide \$300 million per year for a fund for a dynamic downtown. This fund would help fund waterfront development, fixing up heritage buildings, cleaning up brownfield sites and a variety of other things to improve our city centres throughout the province.

Our vision also involves affordable housing and an Ontario transportation trust fund to fund transit and roads.

We're concerned, as I've said before, that in all of this we will leave the ordinary working man and woman, the ordinary person—for example, the people who ended up being evicted last week from the tent city on the waterfront—out of the equation altogether, and we think that would be a mistake and an unfortunate oversight. The sooner we get our heads around the fact that everybody deserves to live in a dignified, affordable home that's safe, that they can afford, then it benefits us all. We get to claim ourselves as a civil society then.

**The Deputy Speaker:** Questions, comments? The member for Oak Ridges.

*Applause.*

**Mr Frank Klees (Oak Ridges):** First, I want to thank my colleagues for their applause. I was disappointed that the members opposite didn't join in, but I can understand.

*Applause.*

**Mr Klees:** Thank you very much.

I want to commend the member from York West for his speech today on this bill. It shows the deep sense of understanding that he has of the city of Toronto, and also I think it demonstrates the importance of this bill, that members of all parties are speaking in favour of getting on with addressing the need to revitalize Toronto's waterfront.

The member rightly referred to the need to ensure that the people of Toronto have a say in what that looks like. In my remarks later I'll be addressing some amendments that the government will be proposing that will ensure that, in the course of consultation, entrenched in this legislation is the requirement of the corporation to go back to the people of Toronto and incorporate public consultations as these plans are developed. Also, reference will be made to the importance of conforming to Toronto's official plan as these plans go forward.

1940

I do not live in Toronto. I live in the town of Aurora and represent the riding of Oak Ridges. But let me tell you that when I am travelling abroad—it is true that although people should know where Aurora is and where Oak Ridges is, they don't—regardless of where I have been in the world they know where Toronto is. This bill, I believe, will do much more to ensure that Toronto is front and centre in people's minds around the world. We look forward to this bill being passed.

**Ms Caroline Di Cocco (Sarnia-Lambton):** It's a pleasure to make some comments regarding Bill 151, because it is one of those rare occasions where everyone is very supportive of the direction of the revitalization of the Toronto waterfront. Toronto is a world-class city. The

revitalization of that waterfront, I believe, is long past due. It truly is about treating the city of Toronto so it attains and has that world-class character that we have to constantly develop.

You know, they say that politics is about the art of the possible, and this is one of the truly rare occasions. We look at the word "politics" sometimes and it's pejorative, it's negative. This is one those occasions when we can sit down and say that something is happening that has the intent to make the city a much better place to live, and the word "revitalization" says that.

We also have to be very conscious that whatever is balanced there when it comes to this tremendous amount of money that is injected, there is a fair public consultation process that takes place. We have to make sure the public will have access. When we talk about private-public partnerships, we always have to ensure that we protect the interests of the public as much as we encourage the private sector to invest and be a partner. Too many times we have seen that the private sector sometimes tends to be protected more than the public.

I'm pleased to support this bill.

**Mr Prue:** I would like to commend the member for York West. He spoke, I think, somewhat passionately, but he spoke in a very balanced way, talking about the needs of Toronto but also the need for accountability. I think this is something that is absolutely essential for all members of all parties to understand as we go into what is probably going to be one the largest mammoth undertakings in the history of Toronto. This needs to be an accountable project which at the end of the day will not bankrupt the city, the province or the country.

We have seen in the past, in other places where such mammoth projects have gone on, that although they have succeeded to a greater or lesser extent, they have sometimes ended in bankruptcy. I'm thinking particularly about the London docks, which, if you go there today, is a remarkable place that was once nothing much more than what we see on our own waterfront.

The member also talked about sinking money into losing propositions. I want to assure him that I don't think our waterfront is a losing proposition. But it will be a huge project to reclaim it because of the toxicity of the land and because of the difficulty in marrying the public and private partnerships that are going to have to take place there.

There is a cause to be made for revitalization, and he said it very well. It desperately needs to be revitalized. That land needs to be revitalized. Take the time to walk down there and see the vacant factories, the places that are boarded up, the weeds that are growing and the decrepit railways.

Last but not least, he talked about the urgency, and yes, there is some urgency. There would have been more if we had been fortunate enough to get the Olympics, but we didn't. That should not deter us from looking at the long-term future of this city, and it is urgent at this time that those lands be brought into productive use.

**The Deputy Speaker:** The member for York West has up to two minutes to respond.



**Mr Sergio:** My thanks to the members for Beaches-East York, Sarnia-Lambton, Oak Ridges and Sault Ste. Marie, who have contributed to my remarks. I would be accused of living in another world if I were to say I wish the House would always be so pacific, easy to get along with and supportive of everything the government does. It could, and I know this would be a good wish.

Let me briefly address something the member from Oak Ridges said. It's something we all do, and the member from Oak Ridges does it so well. He said when we travel we don't say we are from Mississauga, Aurora, Newmarket or wherever. We say we are from Toronto. I wonder why.

Everything we do, we do it for our people. I can't image the benefits a project of this size would bring to our people.

**Mr Bartolucci:** Even Sudbury.

**Mr Sergio:** My friend Rick Bartolucci says "Sudbury." Of course, the numbers of trades, machinery, components, parts, materials are just unthinkable. This is something our neighbours, our sons and daughters would benefit from and would be working in one of these avenues. But above all we've got to do it because it is right. It's been right for many, many years, but we just could not get the political will behind it and say, "We've got to do it." We are there. Let's not pussyfoot around. Let's do it. I'm pleased to see there is support around the House.

**The Deputy Speaker:** Further debate? The chair recognizes the member for Oak Ridges.

*Applause.*

**Mr Klees:** I do hope that my mother in St Thomas is tuned in tonight. She would be thrilled to hear this applause; it doesn't happen often. This is an historic occasion.

I'm pleased to participate in the debate on Bill 151. Let me begin by saying the Toronto Waterfront Revitalization Corporation Act is indeed important legislation, as we have already heard this evening. It would fulfill the province's commitment to provide leadership on waterfront redevelopment by creating a permanent corporation. In turn, that corporation would play a central role in developing and overseeing the completion of an estimated \$12 billion in projects. As members know, a unique waterfront redevelopment partnership has indeed been created by the government of Canada, the province of Ontario and the city of Toronto. Together, we're committed to taking advantage of the tremendous opportunity Toronto's waterfront presents, not only to the city and to the province, but indeed to this country.

Our three governments see the redevelopment of Toronto's waterfront as an unprecedented opportunity to accomplish a number of important goals. Those include planning and managing the kind of smart growth that Toronto, the GTA and Ontario will need over the next 20 to 25 years, strengthening the city of Toronto and its economy, along with that of Ontario and indeed the country, realizing the enormous potential represented by the approximately 2,000 acres of underdeveloped land

near the city's centre, and perhaps most importantly, creating thousands of new jobs, new business opportunities, new homes and neighbourhoods, new parks and public spaces in the heart of Canada's largest and most exciting city.

**1950**

I want to speak very briefly to the reference that was made earlier in debate and in responses by the member opposite who was so concerned, and rightfully so, about the city's and the province's underprivileged. I believe that an event like this, a project like this, will indeed go far to strengthen the economy not only of the city but of the province, and give opportunity to people who perhaps don't have that opportunity now to have a job, to earn a living, to in fact become engaged in this momentous opportunity.

I think all of us here today understand the importance of this project. What some members may not know, however, is that the opportunity we have before us closely parallels a similar opportunity that presented itself to the city of Chicago some 150 years ago. In an interesting aside I'd like to share some of those details with you.

During the great railway boom of the mid-19th century, the Illinois Central Railroad came to the city of Chicago and asked for a right-of-way into the heart of that city. Chicago was becoming one of the more important railway towns and much of this activity focused on the city of Chicago. At the time, Chicago was still a relatively young city with a population of about 30,000.

Despite the city's youth and its activity, its leaders recognized the aesthetic and environmental importance of the city's waterfront on Lake Michigan. What's more, they had a vision and the foresight of how to create something special on that waterfront.

The city realized that the lakeshore was suffering badly from erosion, thanks in part to the strong winds that were constantly blowing in from that lake. The issue of erosion is one we're familiar with. I grew up on Lake Ontario and I can tell you that I know the power of the waves on the shoreline. There are people who have lost literally hundreds of thousands and millions of dollars of lands to the power of erosion.

They knew, in the city of Chicago, that a system of breakwaters and dikes was needed in order to protect and maintain that city's shoreline. The city had already asked for financial assistance from both the federal as well as the state governments, and none was forthcoming. As a result, that city negotiated a unique partnership agreement with the Illinois Central Railroad. The city agreed on the one hand to give the railroad an efficient route right into the heart of the city. That was a 300-foot right-of-way on the east side of Michigan Avenue, which was the main street of Chicago at the time. In exchange for that right-of-way, the railroad then agreed to build and maintain a breakwater that would protect the city's shoreline. To this day, the city of Chicago enjoys the benefit of that partnership that took place.

The Illinois Central also agreed to separate its right-of-way with a series of low walls and grass berms. It agreed

to the city's stipulation that the railway structure could be high enough to obstruct people's views on the lake only to the point where it would still be aesthetically pleasing and they would have an appropriate view of the lake.

Decades later, even the railroad executives agreed that Chicago's waterfront was one of the most significant aspects of that city and that the waterfront line of that railroad was one of the most significant entrances to any major city in the world. Again, it was the partnership that made all of that happen. When the great Chicago fire of 1871 destroyed much of the city's downtown area, that entrance remained intact.

Today, most freight traffic has shifted away from downtown Chicago, but the waterfront line is still an important part of the regional transportation network serving commuters, linking the downtown area and that waterfront. At the same time, the central waterfront remains one of the most attractive and vibrant parts of the so-called Windy City. It has parkland where people can walk, cycle, swim and play. It has a number of major attractions, including the Art Institute of Chicago, the John G. Shedd Aquarium, the Adler Planetarium, the Field Museum of natural history, and of course Soldier Field.

I want to point these things out about the city of Chicago because in 1851 that city made some choices that today make that city what it is. I believe that we in Toronto, in Ontario and in this country have a similar opportunity that we, by passing this legislation and by making sure that it's implemented in an accountable and responsible way—we've had that discussion and no doubt we'll hear more about that—to impact this city in the same positive way.

The vision and foresight of Chicago civic leaders at the time, the key decision that was made before the outbreak of the American Civil War, created a lasting legacy for the city of Chicago and the people of that great city and gave a tremendous social, economic and cultural asset that they continue to enjoy to this day. When we consider the future of Toronto's waterfront, I would argue that we have an opportunity that very much resembles the one that Chicago had 150 years ago. In a sense, Toronto has a chance to correct one of its biggest mistakes, by reincorporating a vast tract of vacant and underutilized waterfront land into an exciting aspect of this city.

The three government partners in this initiative recognize that it'll take time to plan and deliver the new infrastructure and remediation of contaminated lands on Toronto's waterfront. We also recognize that it will take a significant amount of investment capital to get the job done. That's why all three levels have agreed to invest some \$500 million apiece, a total of \$1.5 billion toward that waterfront redevelopment initiative—a significant amount of money, but I would suggest to you, and I know that most members of the House agree, one that is most worthwhile and one that will pay dividends for many, many years to come.

The proposed Toronto Waterfront Revitalization Corp would have a mandate to oversee an estimated \$12 bil-

lion worth of redevelopment projects. This is quite possibly the single largest project of its kind in Canadian history. We're talking about a redevelopment on a truly massive scale. As Dr Robert Fung, who chairs the interim waterfront corporation, has pointed out, we could be looking at a series of major projects that include 10 million square feet of new commercial and industrial space. That's an amount equal to a floor space of five SkyDomes; a total of 74 hectares or 183 acres of new parkland for the people in Toronto to enjoy; up to 35,000 new permanent jobs and an estimated 165,000 person-years of employment during construction; new homes for some 68,000 people; \$100 million in new annual property tax revenue based on current tax assessments; attractions that would bring an estimated two million additional visitors to Toronto each year, which would represent an increase of about 10%; and \$800 million in transit improvements and an additional 100,000 TTC trips per day, which would represent an 8% increase in overall TTC ridership.

To coordinate the public's investment in these new facilities, along with the billions of dollars' worth of private sector investment that we hope to attract and we are confident will be attracted, a permanent revitalization corporation is needed, and hence the purpose of Bill 151. Before the end of October, the interim TWRC will be presenting its development plan and business strategy for the Toronto waterfront central area to three levels of government. The business plan will provide a basis for waterfront investment priorities and decisions over the next five years.

#### 2000

To get that redevelopment process underway, the first four capital projects that will be undertaken under the waterfront initiative have already been announced. Those four projects are in themselves worth about \$300 million. They include an expansion of Front Street to the west between Bathurst and Dufferin streets with a new interchange with the Gardiner Expressway near the grounds of the Canadian National Exhibition; second, the construction of a second TTC subway platform at Union Station with expanded passenger access between the subway station and the GO Transit concourse; third, the commencement of site preparation and remediation work in the port lands and the west Don lands; and finally, the start of vital environmental assessment work that will lead to the renaturalization of the area near the mouth of the Don River, along with a number of flood protection initiatives.

All three levels of government have agreed to share the costs of these projects equally, and work has been underway on each of these initiatives for some time. So we can see already that the momentum is there. What we have to do now as a Legislature is endorse this bill to ensure that we move on to the next stage.

It's true that, as different levels of government, we may not always see eye to eye on every issue, but when it comes to the Toronto waterfront, as we've already had expressed today, I'm pleased to say that we're acting together as equal partners.



I'd like to take just a few minutes to outline the purpose of Bill 151 and some of the fundamental objectives we have. The first is to establish the permanent Toronto Waterfront Revitalization Corp, or the TWRC. That permanent corporation would replace the interim corporation that was put in place last year. The proposed legislation would give the TWRC a clear direction with clear principles to guide it in carrying on its business. We've had some discussion today about how important it is on the one hand to set the objective. Equally as important and perhaps more important is that we put in place the appropriate principles that would guide that corporation, the appropriate mechanisms for accountability, and that is what we intend to accomplish through this legislation.

Under the proposed legislation, the corporation would be empowered to leverage the initial investment provided by three governments. The \$1.5 billion is a mere beginning to this massive project that has to be undertaken. We fully expect that the private sector would be attracted to invest, participate as partners, and to bring substantial additional capital to the table to achieve the projects that are in mind.

Bill 151 would also ensure the new corporation's accountability, as I mentioned earlier. It will require it to obtain the approval of all three levels of government before borrowing funds, mortgaging assets or generating revenues. While the legislation would give the corporation a mandate to encourage the private sector involvement I mentioned previously, it would also require the corporation to involve the public in developing its plans.

The proposed act outlines the purpose, powers and mandate of the permanent corporation. It gives the corporation a framework to guide it in business planning, financial accountability as well as annual reporting. Bill 151 would provide for a board of directors of up to 13 people, with up to four members to be appointed by each of the three governments. If the legislation is passed, Robert Fung, whose task force report was instrumental in helping shape our future vision for the waterfront, would assume the role of chair of the corporation.

The draft legislation is designed to ensure a smooth transition from the interim to the permanent corporation. It also includes a proposed process for a sunset review and a wind-down plan once the corporation has completed its mandate.

Members should know that, since first reading of the bill, the province has been involved in ongoing consultation with the federal government, the city of Toronto and the Toronto Waterfront Revitalization Corp. As a result of those consultations, the government is prepared to propose several amendments to the bill, as I mentioned earlier. These include: first, a requirement for the corporation to conduct a review of the act and report back to the three governments within 12 months from its enactment on any suggested amendments to the act; second, a requirement that the corporation's business plan include a public consultation plan and, every fifth year, a five-year revitalization plan; and third, a require-

ment that the province consult with the federal government and the city of Toronto before making any regulations under the proposed act. These proposed amendments, I believe, would clarify certain sections of the legislation as well as respond to suggestions from the federal government, the city of Toronto and the TWRC.

Although the bill doesn't make reference to the city of Toronto's official plan, I want members to be aware that the province is proposing an amendment as well that would provide for the corporation to have its development proposals subject to the terms of Toronto's official plan.

In conclusion, Bill 151 clearly is very important legislation, not only to Toronto but to the province and to the country. I trust that all members of the House will recognize the importance of participating in the passage of this bill. I know that all of us will take great pride when we begin to see the infrastructure developing, the changes, the redevelopment and the revitalization of what is clearly a tremendous asset to the city, to the province and to this country. I invite all members to join with me, then, in making history by voting for a revitalized waterfront and the passage of Bill 151.

Speaker, if I had my way, I would ask for unanimous consent that we pass this bill now without any further debate so that we can get on with it, but I somehow doubt I would get that from this chamber today.

**The Deputy Speaker:** If the government caucus is done, we'll now move on to questions and comments.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I'm pleased to follow the esteemed member from Oak Ridges. In fact, I need to say I'm often impressed with his eloquence, particularly on environmental matters. I made my way to the House this evening knowing he would be speaking and looking very much forward to his remarks, and I'm not disappointed that I arrived in time to catch those.

Listening to the detailed explanation, it's clear that this example of private-public partnership offers to those who hold nothing sacred something to believe in. I think in these days it's important for us together to offer people something to believe in.

Any time you can work in partnership to reclaim, restore and resurrect something as special as this project while providing the kind of positive economic benefits that are so clearly obvious to us all, that's not just smart growth, but that's very prudent and intelligent thinking.

As we talk about private-public partnership, the thought has often occurred to me that public sector interests and private sector expertise coming together in partnership only really works if we always bear in mind the most important and the fourth "p," and that's the people who were elected to come into this House to serve. I think this bill does that very nicely. Yes, we're going to pay a price for this project, but it's a price for which future generations will have cause to pause and, I think, give thanks to those who have exercised some leadership here, from all three levels of government and elsewhere, not for leaving something special to our future genera-

tions but for leaving something absolutely spectacular. And for that, we can all give thanks.

**Mr Prue:** I listened with a great deal of enthusiasm to what the member from Oak Ridges had to say. He spoke very well and talked, I think, of several key things that were important to me. The first and foremost was the public accountability for everything that is going to go on.

We often see megaprojects like this, whether they be at the provincial, municipal or federal level, go ahead with limited or no public accountability, or without any public input whatsoever. They are simply dreamed up and carried out, and the people who live in proximity, as most of my residents do, often have to bear some of the problems that develop either during the time of construction or, latterly, after it has been built. We are very, very thankful that public accountability is being factored into this system.

He has proposed that there will be three amendments to the act, and I trust there will be many more than three, because I can think of some that I would like to see. But I do commend him for the three: the conducting of the review of the act 12 months after, because this is going to probably be a 25-year or longer proposition; the public consultation after five years, and I think that is essential so we can continue to make sure it goes on track, because it's going to take a very long time to have this built and up and operating; and, last but not least, is the consultation with all levels of government before the regulations are published and finalized.

**2010**

The devil is often in the details and it's almost certainly in the regulations. What you don't read in an act you will often find in the regulations and it is they that will give meat to what happens here. So it is essential that the city of Toronto, the federal government and the province agree to what those regulations are so that everybody has a very clear picture of how this is to unfold.

This is an exciting project and I look forward to my opportunity to speak at more length.

**Mr Marcel Beaubien (Lambton-Kent-Middlesex):** It's a pleasure for me to make a few comments with regard to the comments made by my colleague. When we look at the objects of the corporation under Bill 151, it says, "The following are the objects of the corporation," and if you go to number 3, it says, "To promote and encourage the involvement of the private sector in the development of the designated waterfront area."

I'm not going to talk about Chicago, I'm not going to sing about Chicago tonight, but I want to talk about a small corporation in Sarnia-Lambton that has done well when we talk about the private and public sectors. In the recent *Bluewater Business Magazine*, June 25 of this year, a company named Steeves and Rozema—this company specializes in contract management services for all types of real estate and investment properties. They were honoured to receive the Building Owners and Managers Association—BOMA—award, which is an

international award for the best office building of the year, namely the TOBY award—not the Toby Barrett award but the award presented internationally. The joint partnership was with the city of Waterloo.

When we look at what some of the municipalities have done in the past and will continue to do in the future, when we look at the private and public sectors, I think there are an awful lot of successful stories. I know sometimes the opposition have some difficulty in embracing the private-public sector, but I think in having the public and private sectors working together, in the long run we do have sustainable projects and programs and at the end of the day the people who benefit from it are the taxpayers, not only of Toronto but of the province of Ontario.

**Mr Ernie Parsons (Prince Edward-Hastings):** I think every person who stands for election to this House does it because they want to accomplish something, they want to leave a legacy, and I applaud the member for Oak Ridges. This is a wonderful example of our working together to make a better environment.

Quite frankly, though, in some ways we from rural Ontario envy you. If Toronto does well, rural Ontario does well. We are one complete family. So if there's a revitalization that's going to take place, all of Ontario wins on this. But I hope there isn't a need some day to revitalize rural Ontario.

I look at the land that is developed across the province, I look at the prices of land and I see competition taking place between young farmers and developers. I see problems, not just because the land they both want is the absolute best land, but for our young farmers there isn't an opportunity to purchase the land at the price it's going to be; plus you add on the cost of milk quota and equipment and the animals themselves.

I applaud the energies that are going into this development in downtown Toronto. I hope we can use the same energies for our planning for all of Ontario.

When we look at the Oak Ridges moraine, this government modified it but they took Mike Colle's bill to protect the Oak Ridges moraine and passed it. Again, I applauded that. But it has had the side effect, unfortunately, of driving development off the Oak Ridges moraine and on to prime agricultural land. For every action there is an equal and opposite reaction, so when something happened, there was, and in fact there still is, a need to recognize that if we're not going to have development on the Oak Ridges moraine, where are we going to have it happen? We don't want to come back in 25 years and try to correct it. You can't take asphalt off the land once it's there.

The energy that all of the partners are bringing to this venture in Toronto, please bring it to the rest of Ontario and have us do good planning there also and not have to do corrections later.

**The Deputy Speaker:** The member for Oak Ridges has up to two minutes to respond.

**Mr Klees:** I want to thank my colleagues for their comments, in most cases quite complimentary. I appre-



ciate the participation of the members from Ancaster-Dundas, East York, Lambton-Kent-Middlesex and Prince Edward-Hastings.

I appreciate the comments that were made relative to rural Ontario in that we not be preoccupied necessarily with the city of Toronto or urban areas at the expense of the rural areas of Ontario. That couldn't happen to me, I say to the member. I was raised in a very rural part of this province, in the town of Leamington, the tomato capital of Canada, if not the world. I well know sometimes the resistance and resentment of people in small towns to things that are going on in the great city of Toronto. When it's heard that billions or millions are spent, often there is that stress.

I was in the heart of New York City just last month. I was walking along a street very similar to Yorkville, and outside a restaurant were crates of carrots. On the crate I read, to my delight, "Bradford, Ontario" in the heart of New York City.

My point is very simply this: that without a vibrant city, agricultural products don't have a home. The degree to which we can shore up, the degree to which we can support this great city of Toronto, I believe there will be tremendous, positive repercussions on the rest of our province.

I thank members for their indication of support for this bill. We look forward to working together, as has been said before, in a very non-partisan way to make this bill not only a legislative reality but practically a reality in implementation.

**The Deputy Speaker:** The floor is open for further debate. The member for Sarnia-Lambton.

*Applause.*

**Ms Di Cocco:** I want to thank my colleagues for their applause, and the government members as well.

I'm pleased to be able to speak at some length on Bill 151, the Toronto waterfront agency. The Ontario Liberals support this bill because we are strong supporters of the efforts to develop and revitalize these vitally important lands here in Toronto.

I'm from Sarnia-Lambton. Sarnia is not a large centre and it's 300 kilometres away from Toronto. Nonetheless Toronto is world-class, the largest city in Canada, and I believe that all levels of government must work together, as they are doing in this project, to do something this positive for a city like Toronto.

The member from Oak Ridges talked about the success story of Chicago. I'd like to talk about a similar success story in Sarnia-Lambton. Many of you know, from having been in Sarnia-Lambton, the amount of waterfront we have. I heard the member from Beaches-East York state that he felt it would take 25 years to do this; in Sarnia, it has taken a generation to buy up all the pieces of the waterfront so it is in public hands. We now have a tremendous amount of well-kept, what they call "passive," to some degree, because there are walkways all along it; the St Clair River—we have the Lake Huron part of the riding and our waterfront has become a place—for instance, Point Edward is now placing two

large flags, a Canadian and a US flag, to show the co-operation that we have internationally. Port Huron has a Canadian and a US flag as well, and we fly it on either side of the border. We use our waterfronts to show the connection between the two nations.

**2020**

Underneath our bridge there is a huge walkway. But also it is the place where our native community found the greatest number of artefacts. It was a gathering place, one of the biggest gathering places of all of the various tribes in the area. They have a huge archaeological find.

So our waterfront is—I guess the word that's used is it's certainly a focal point of what attracts people to come and visit the area. The revitalization of the Toronto waterfront will definitely enhance the community. We also know that when we do something of this size, we have to have fair public consultation. We have to have, also, protection of the public interest.

*Interjections.*

**Ms Di Cocco:** I have to say, Speaker, that my colleagues are trying to distract me here, so I do—

**The Acting Speaker (Mr Bert Johnson):** Do you want me to throw them out?

**Ms Di Cocco:** I just thought I would mention that, but thank you, Speaker, for telling me that you can take action if they continue to do this.

I would like to really speak directly, though, to this whole point of what our waterfronts are about. The Great Lakes are the biggest bodies of fresh water in the world and, for some reason, we have misused some parts of these wonderful lakefronts. It's high time that the levels of government come together to restore and to revitalize this incredible part of Toronto.

In my riding, it was in 1967 that the inspirational centennial project began this buying-up of private land and putting it back into public hands. We talk about private-public partnerships, but I think it's really important that we balance the two. The member from Lambton-Kent-Middlesex said that we have problems with the private sector. I disagree. It's not having a problem with the private sector; it's making sure that someone is protecting the interests of the public.

The private sector takes care of itself. It knows exactly what it has to do. It has to make sure that it makes money, and it'll do that because it has a single focus. It's a lot more challenging to protect the interest of the public because it isn't one person; there isn't a focal point that focuses on protecting the public sector. That's what concerns me. The private-public partnership that seems to be highlighted sometimes is the 407. I find that to be one of the areas that I think is unbalanced, because the private sector is the one that has gotten all of the benefits and all of the assets, and it is the consumer and the general public that have lost out on that deal. That's my only concern, that when these discussions take place, there is fair public consultation, that there is a transparency there when the decisions are made and that there is accountability so we don't just have a number of people who are

salivating to get their hands on some prime pieces of land so they can, of course, make a windfall.

Again, I have to say that there's an area about Toronto that I find incredible. Toronto is a place that has an incredible cultural industry. Unfortunately, we need to do more to strengthen that part, because arts and culture are part and parcel of what gives vitality to a community. We also need to do that. It isn't just by building something that we enhance a community. It's also supporting an infrastructure of people. It's being able to succeed or have this diverse and eclectic cultural industry supported, enhanced and given strength so it becomes—it is—world-class and can be showcased as world-class. So when we market Toronto, when we market Ontario, we say, "Come to Ontario." Why? Because there's this wonderful industry here that showcases the best, showcases the excellence we have. Unfortunately we sometimes want to see buildings, and we don't put enough thought and enough development into the people and into our cultural and heritage industry within the city.

What this bill actually does is establish, as has been said here many times, this Toronto Waterfront Revitalization Corp. This entity is empowered to coordinate the development of Toronto's waterfront, and that's why the city's official plan does not have in it the waterfront as part and parcel—it doesn't spell out, I guess, the future of the waterfront, because this corporation will do so. I certainly hope that it will be done thoughtfully and isn't just about the easiest way out or getting some big investment. I hope it's thought out long-term so that there is a mix of the private sector but also that accessibility that the public would have to it, and not just another lot of buildings there. So I certainly hope that there's going to be really good consideration and thoughtful consideration in this corporation as it proceeds in this tremendous responsibility, because it is a tremendous responsibility that will be entrusted to it.

These visions that we have as a society are really important, and what happens to the vision sometimes when it comes to the practical part is they tend to disappoint us. They disappoint us because there are sometimes too many interests involved. They disappoint us sometimes because we lose the focus of the public's accessibility to it. After all, the waterfront belongs to the people of Toronto; it belongs to the people of this province. One only hopes that the waterfront corporation will consistently keep that in mind as it moves forward in the development of this waterfront.

The objects and the powers of the corporation are also set out, and the composition, the powers and the duties of the board of directors. So it gives clarity to what their role is.

It says that the board is required to follow directions given jointly by the federal government, the provincial government and the city of Toronto. I believe that is where the success of this corporation will come from. The corporation is also required to give an annual report, including audited financial statements, to all three governments. But I also hope that this corporation will be

transparent to the public as it makes its decisions on what it's going to do—with a lot of consultation as well.

As we know, the city of Toronto is making appointments to the board of directors of the corporation. It also has authority to transfer rights, assets and liabilities to the corporation with the consent of the corporation. So, again, it's going to be a huge responsibility for this corporation to carry out the wishes of the three levels of government.

#### 2030

There is some concern that this organization may become a paper tiger.

Mr Speaker, I am going to relate to you that my colleagues are trying to distract me again. Thank you. They are now leaving, so that won't happen again this evening.

I said, when I had an opportunity to speak for a couple of minutes, that I believe politics is the art of the possible. I say that because too many times when we say, "Don't play politics with this," there is always that negative about the political world. This is one of those focuses that actually has the support of all three parties.

It was interesting, because I listened to member from Oak Ridges as he talked about the vision that Chicago had and how it has been realized today. The member from York West talked about what it meant to him as a citizen of the area. The member from Sault Ste Marie talked about the social conscience that is innate, that should be part and parcel whenever we are developing, because when we develop and work and spend dollars in a community, especially public dollars, it is in the public interest that this is done. That always has to be at the forefront. Time will tell, but in this case I have confidence that it will be done in the public interest and for the public interest. It will benefit everyone, not just the private sector. It is there for the public as well.

I want to talk about the strengthening of not just the waterfront but of the people who work in Toronto in that industry that continues sometimes to feel ignored. The cultural industry tends sometimes to be—well, there is an indifference, I think in this Legislature, to culture. There has been in the past. One thing that is important is to take a look again at what's needed: to put back a spark of hope in that industry that says the provincial government should play a role as a benefactor, that it should play a role in providing leadership, that it should play a role in the cultural industry. It is the cultural industry that we market, that can be marketed internationally. That's what has given other international cities their character. Sometimes I believe that for some reason we tend to ignore it or at least in the political realm leave it aside. There is a sense of indifference toward it. I am hoping that will change as we move on.

I believe it was over a year ago that there was a great deal of attention to a provincial commitment to putting \$500 million toward this project. It is unfortunate that it takes so much time before we actually make the decision and put the plan in place, because you can't get back the time you lose. It's unfortunate. As they say, "When is the best time to plant a tree?" They say, "I should have done it 20 years ago." Well, the next best time is to do it now.



But I do wish that there had been more of a vision, because the Conservatives have been in power for seven years. You cannot develop, revitalize, in a few months. It takes a long time and it takes consistent development. You don't just have this big idea because you're close to an election and you throw some money at it. You have to do it gradually. You have to have a long-term plan. Sometimes in the world of politics I see decisions made only sporadically, just for a short-term period rather than looking at the long-term development of the cities and enhancing of the dimension that gives the city vitality, which I call the cultural industry.

The provincial Liberals support this bill. It is time that it was done. It's long past due.

There is the other dimension that I hope the government will not forget, and that is that it isn't just the waterfront that needs to be revitalized. We need to have some commitment made to the cultural industry, because the city is poorer if aspects within the cultural industry just move away or decide, "You know what? It isn't worth it." Some aspects of it will continue to survive in spite of the indifference government has, but we need to grow it, nurture it and support it.

I'll say just one final thing, and that is that the provincial Liberals will support this wholeheartedly. Now the caveat: see if we can get some commitment for the cultural industry as well.

**The Deputy Speaker:** Members now have up to two minutes for questions or comments.

**Mr Prue:** I commend the member for Sarnia-Lambton. She spoke very well, even though she was being bothered by members of her own caucus.

I had the opportunity earlier this year of travelling through Sarnia one day; I had not been there for a long time before that. The city has grown, although I do have to say some of the downtown stores looked like they too needed revitalization. But the parks around the Bluewater Bridge and everything were absolutely beautiful. It shows what a city can do that sets its mind to act in a public way.

She made a very good point about public-private partnerships. Many governments at all levels and of all political stripes talk and do things about public-private partnerships, but the important thing to remember, as she so eloquently put it, is that our job is to protect the public. The private industries, the private commercial forces, will be able to protect their own interests and look after their own money, but the people are counting on us to make sure that the "public" in public-private partnerships is adhered to.

Last but not least, she spent a great deal of time talking about the arts. It is refreshing to see someone actually stand up and talk about what is one of Toronto's major industries. People forget how many people in this city are employed in the arts; how many tourists come to Toronto, and in fact to many places in Ontario, to see arts and arts productions; all the people who earn their living this way; all the people who appreciate this. It is something that truly makes us Canadians. One only has to look

at the Group of Seven's paintings to know they are unique in the whole world. Just as those paintings are unique, so are our dancers, our singers, all of our artists, and we need to showcase them more and more.

**2040**

**Mr Dave Levac (Brant):** I appreciate the opportunity to compliment my colleague from Sarnia-Lambton and to come to the defence of the member from Sudbury, at whom I think I saw the Chair of Management Board make a face or two as well. I'm not sure, but I'll review the tapes. The member opposite was smiling, anyway.

The member talks to us about the cultural makeup of Toronto, and because of that I think the recognition is important that there is a relationship between what she's talking about and Bill 151.

The member for Lambton-Kent-Middlesex made a comment about questioning whether or not the opposition understands the public-private partnership aspect of this particular project. I am hoping that he's making reference specifically to this bill, because if he's not I find it offensive to think that the public interest would not be looked after in this House, period, regardless of whether or not it was a public entity or a private entity. We have responsibilities to the people of Ontario, and if it means that a public-private partnership is appropriate, then we will do so. If it does not mean that, we have to stand up in this House. We are challenged to stand up in this House and make sure that those partnerships are appropriate to the development of the people of the province of Ontario. The bricks and mortar get taken care of by themselves, quite frankly, and the idea the member spoke to us about, the cultural industry, is an important aspect of it.

What she also asks us to do in Bill 151 is make sure that it's transparent, that it's a consultation process and that we are accountable to the people of Ontario, that there are no secrets in this particular deal. I'm hoping that's the case with Bill 151.

One of the reasons that I am concerned about the cultural industry is what's been happening in education. If you take a look at our cancelled ESL programs and the international language programs, it does not address what the member is talking about, and I hope that the members opposite keep that in mind too when they start looking at this in a holistic manner, not just the waterfront itself.

**Mr Martin:** I also want to congratulate the member for Sarnia-Lambton for her usual eloquent contribution to the debate here in the House over the last few years. This evening she focused on a couple of points where this legislation is concerned that are very important. They've already been mentioned by many.

Reflective of some of the reading I've been doing in the last few days, because I've had a delegation of folks over from Ireland—they're experiencing a very exciting resurgence to their economy. In that resurgence they haven't forgotten one of the things that the member for Sarnia-Lambton has mentioned today, and it has benefited everybody because of that: the focus on the arts and culture.

Blended into everything that the Irish are doing these days is a notion of inclusion, making sure that everybody who lives in a particular jurisdiction and in the country is involved and included, that what they do both publicly and privately benefits as many as possible. It's something they've been successful at. They've been successful in doing that by the use of arts and culture. Certainly the focus has been, over the last while, in this piece on housing, another area that the Irish have found a way to include absolutely everybody that's possible. I heard the member mention the issue of social inclusion and social justice. We cannot move forward as a society unless we include everybody. It affects everything we do, including our collective social security. I thank the member for putting that on the record this evening and encourage all to consider it as we vote on this bill.

**Mr Levac:** On a point of order, Mr Speaker: I want to clarify a comment I made that indicated the Chair of the Management Board may have been trying to distract. That was not the case. I was making reference in jest to the member for Sudbury. I withdraw that comment.

**The Deputy Speaker:** It is appropriate to correct your own record.

**Mr Bartolucci:** It's a privilege to comment on the member for Sarnia-Lambton. Her passion that she brings to this House—whether she's defending her own riding or whether she's speaking for a better Ontario, she does it with a great deal of commitment and dedication, with a foundation based on fact and determination to make a difference. People of Sarnia-Lambton are very, very fortunate to have her as a representative. She has a passion for culture, there's absolutely no question. But you know, she doesn't only talk the talk, she walks the walk. She sponsored a cultural summit here in Toronto. She brought people in from all the different aspects of the cultural community, representatives not based on partisan politics but just on their desire to make a difference in the world of culture. Then she spun that off with four cultural forums: one in Sarnia, one in Blyth, one in Owen Sound and one in Ottawa. We're a better province because of that summit and because of those forums.

So I guess what we heard tonight from the member for Sarnia-Lambton about protecting the culture as we debate this bill—you know, she brought the tie-in. There is very definitely an important tie-in, and she tried to explain that. I hope the government members were listening. I hope those people who will ultimately and finally implement this bill were listening. It is important, and I thank her for those very, very kind comments and for her determination and dedication.

**The Deputy Speaker:** The member for Sarnia-Lambton now has up to two minutes to respond.

**Ms Di Cocco:** It is wonderful to see the co-operative aspect in regard to all of the levels of government. I do have to thank my colleagues for their kind comments in regard to my position, what I've stated.

All of us have a role to play when it comes to the building of our society. Again, we build our society by doing and putting together projects like this, with all the

levels of government, and that's what we do to revitalize, to make it a better place. But it's also about the development of the organizations and what actually makes the society vital, what gives it vitality.

We can revitalize the waterfront, but if we don't have the infrastructure and we don't have the vitality of our industries, our cultural industry, if we don't have that as part and parcel of being able to showcase that on our waterfront revitalization, then we're going to be the poorer for it, even though we might have some wonderful buildings there.

Again, I do want to say that I am totally in support of this bill, because it's the right thing to do. It's time. It was delayed a year but it's time that we did it. This is a world-class city and its waterfront should be a world-class waterfront.

Sarnia has a world-class waterfront. Sarnia is a border city. Its size is not as big as Toronto, but we have a wonderful waterfront that is definitely an attraction for tourists who come from all over the world.

**The Deputy Speaker:** It is now time for the deferred leadoff debate of the third party, and to that end, the Chair recognizes the member for Beaches-East York, who has up to one hour.

**Mr Prue:** I think, Mr Speaker, about 40 minutes, if I'm correct. I can't quite see the clock from here.

**Mr John O'Toole (Durham):** Share the time. I would like a few minutes.

**Mr Prue:** No, I'm not going to give you any time on this at all.

I stand here tonight, probably as the only politician, certainly the only politician in this House, who has actually had an opportunity, not once but twice, to debate this issue, the first time at the city of Toronto, where I was a councillor for some four years. In the city of Toronto we did a lot of things before I arrived in this august chamber. As a matter of fact, I arrived here exactly one year ago today. So here I am a year later, debating some of the same things that I left off debating in the city of Toronto.

One of the aspects about the debate in Toronto a little bit more than a year ago that intrigued me the most was the whole debate about the waterfront, about Robert Fung's role in that waterfront, the vision of Toronto and about where we were going as a city.

It has been said here tonight that Toronto is a world-class city. There are some who would think it is and some who would think it is not. Some would think it once was and some would hope that one day it will again regain that stature.

2050

Before I left, we had many talks about what we would do about that waterfront. One of the things we did immediately—I think this is now about two or three years old—was a very contentious vote to dismantle the Gardiner Expressway from Leslie Street over to the Don Valley Parkway. It has now been completely dismantled. If you've had an opportunity to drive along that expressway in the last little while, you will see how that water-



front has been reclaimed. You don't have the eyesore of the Gardiner Expressway leading up. You have flat land that you can see over and beyond, and you can start to see down to the lake. It has reconnected both sides of the street. You can see your neighbours now, and you can see what they are doing.

We had an opportunity to see the architectural drawings and the renderings by people who had visions about what the waterfront would one day look like. It was a breathtaking vision. It included canals and places for people to walk. It did not include cars. One thing I have to tell you is it did not include cars and parking lots. It included long promenades for walking, public transportation, venues for people to showcase their talents, places for the arts, restaurants and galleries, places for people to live and, yes, provisions for public and assisted housing so that people of all categories could afford to go there, so that they could all afford to live there and so that the streets and canals would remain safe at night; people could go, leave their homes and know there was a vibrancy and a community living around there, not just some barren place close to the lake where one went during the day and retreated from at night.

We did lots of work around Union Station, making sure there would be extra capacity at that station for people to travel on the TTC, so that there would an opportunity in the future perhaps to connect a bus station closer to Union Station so that people could travel by train and transfer on to buses and vice-versa, on to the TTC and on to the trains.

We did the work of appointing the board from Toronto. I'll get to that a little bit later in my speech, but that was also exciting because of the give and take of the Toronto council: who was going to serve on the board, whether it was going to be all business people or whether we were going to involve some people from labour, from the arts or from government. All of those decisions were made.

Now myself I have a second opportunity to start that debate again here. It's quite exciting, because today we're not seeing drawings, planning and architecture but the guts, the meat and the insides. We're seeing an opportunity of how to develop this and how to make sure that governments at all levels participate.

In looking at the research for Toronto, we also did a lot of studies of other cities around the world, most of which I have had an opportunity, in my all-too-brief life, to visit. We had an opportunity to look at what they did in their particular cities to make them vibrant, to make sure they were attractive to the public and to make sure building went on there. One of the better examples, probably, that everyone knows are the city of London that took its derelict docklands—absolutely derelict; no one would go there. It was the home of drugs, gangsters and people who were down on their luck. It was a place where nobody went at night.

Today the docklands of London are one of the tourist attractions of that city. They are vibrant and alive with bars, restaurants and art galleries. It took the genius of a

couple of Canadian guys from Edmonton to do it, who, by the way, went broke in the process. But it took their genius, along with a lot of money from the central government of England and the city of London to pull that off. And today it is a wonder. It is one of the truly great urban miracles in the world, and I'm hoping we can emulate some of what they did.

One can look at the city of Barcelona in Spain, an absolutely magnificent city, tracing its roots back hundreds if not thousands of years. You can look at that city and see that they took a derelict waterfront that was not unlike most of the Mediterranean waterfronts—you know, with the red-light district downtown, with places where people hung out that were a little bit unsavoury. They have taken that waterfront and turned it into one of the most spectacular places on the face of this planet, where you can walk, where you can go shopping, where you can walk up and down the Ramblas at night and see jugglers and mimes and people acting on the street, where you can eat wonderful meals and where people are happy to be downtown and on their waterfront. They did a tremendous job. They did it in terms of the Olympics, and we may not yet have that opportunity, although if we build the waterfront I'm hoping one day we may see it yet.

One can go to Sydney and see what they did with their waterfront. It is considered one of the top two waterfronts in the entire world, the other one being in Vancouver. You can see what they've done in downtown Sydney, which is a joy to go to. It is a place that is absolutely bustling, yet it is a place where you can pick up a ferry and cross to any of the points to go swimming. It is a place where you can see art and architecture and the famous Sydney Opera House.

You can go to Auckland, New Zealand, which has a terrific downtown waterfront, with a marine museum where you're the one walking inside, with the sharks swimming around you, right there in the downtown core. It is truly a remarkable place as well.

Others that we looked at and studied, which I've also had a chance to visit: Hong Kong and Shanghai, Chicago and Cape Town, South Africa. All have done a terrific job in reclaiming their waterfronts.

I'd like to spend just a couple of minutes talking about the two Canadian examples that have done a tremendous job. We need look no further than our own Canadian provinces. One of them is Vancouver, which is considered to have the second-best waterfront in the world, after Sidney, Australia. Of course, it has the remarkable good fortune of having the coastal mountains immediately behind it, and the backdrop is spectacular. What they have done with their waterfront is to invite the people to go there, along the waterfront and up into Stanley Park, where people feel at ease, where they go out for a meal at night, where they walk along the waterfront. There are even people out fishing, people out doing everything and every manner of exercise you can imagine. There are people at the restaurants, the bars and the cultural events in downtown Vancouver.

You can also go to Halifax and see where they took the old sheds down. They left some of the sheds up and they've turned them into art centres, right there on the docks. People from all over that city and Dartmouth and from around the Maritimes gravitate to that location as their cultural headquarters, where one can do and find almost everything.

It is a remarkable transformation from what had been just a few years before that nothing but a shanty town. It is the place where the famous Blue Nose docks. I hope we would have similar docking facilities for such great tall ships as well.

Having seen all of those, your mind gets to the point where you think, "Wow, Toronto can do it, too." I know Toronto can do it with good will. The city of Toronto has just published its official plan, and that official plan is a blueprint for what we would like to see this city become in the future. It protects most of the neighbourhoods, but what it does more importantly than that is it sets out a blueprint for development in this city. Key to that development are the parks, the public gardens, the housing, the public space, the canals, the culture, the tourism that will gravitate toward our waterfront.

Of many cities around the world, we are unique in living on such a large body of water. It is not an ocean, but it is a very large body of water which is open completely to the public. All of our beaches are public beaches in Toronto. They are not private beaches, like Malibu. They are not private beaches that one will find in many parts of the world that belong to a hotel and you need to be a resident to go on to them. They are all public beaches and public walkways along a whole string of waterfront, leading right from the Niagara Escarpment all the way through to about Kingston. One will find that all of that land is public land, or most of it is public land.

#### 2100

This is an opportunity for all of us to support those things that are essential to the docklands, that are essential to Toronto if it is again to become a world-class city. Housing can be built there when there is a housing crisis in this province that is starting to reach staggering proportions. There are 65,000 people on waiting lists for socially assisted housing in the city of Toronto alone, and that number continues to grow. In fact if you are looking for a three-bedroom or a four-bedroom unit in the city of Toronto because you may have three or four children and you need proper space for them, if you were to put your name down today, you would not get that unit until those children were all grown up because the waiting list is now 17 or 18 years to get such assisted housing for your family.

We are in desperate need of housing. If there is to be housing built on that site, it needs to be a mixture of both high-end use and assisted housing. There can be no more ghettos, and certainly on our waterfront we would never want to have one. We need to have the housing available to everyone, rich and poor, who would have to and would learn to live side by side.

We need to do so much about our public space. In this city, if you fly over it or if you go up into the tall build-

ings in the Royal Bank Tower and you look out, you will see that this is a city of green; it is a city of trees. There are 2.5 million people who live here, but there are some six million trees in Toronto. That's about two and a half trees for every person who lives here. You can see that from any high space, but we need even more green space. We need public space where kids can go to play, where games can take place, soccer and baseball and maybe football as well, although I don't think Canadian football is quite having the popularity it once did.

We need an opportunity for our culture to be showcased. Although we have many venues in this city, there is an opportunity for outdoor culture to grab hold and take root. One has just come to my riding quite recently. It's going to be called Shakespeare in the Park. They're going to have a huge tent and perform Shakespeare down by Ashbridge's Bay, not very far from this very location, starting next year. They're going to be doing that. That's the kind of thing we need to bring culture down to the beach, culture down to the Don lands and around the Don River.

We need for tourism to grow again. Tourism in Toronto has stagnated in the last number of years, in large part I think due to our own success. We were very successful in bringing tourists. We were very successful when we had entrepreneurs like Garth Drabinsky spending hundreds and maybe millions of dollars in advertising in the United States for people to come up and see our shows and to discover Toronto. When that venture failed, the money that was spent by the government of Ontario and the government of the city of Toronto paled in comparison. We have dropped from being a major tourist destination to being only an intermediate tourist destination. That only took a few years. Building something of this magnitude will bring the people back in huge numbers, and we can only look forward to that.

What has been happening, though, at the waterfront in the last year is a little disquieting. What is happening down there now is that some of the lands that are not in public hands—and the majority of it is, but that which is not in public hands is starting to look frightfully like it's not going to be the kind of dream that everyone in this House has spoken about today.

We look at Home Depot—very much in the news in the last few days because of the tent city. I'm not going to get into the argument whether or not the people should have been removed or not removed; the only thing I would say is, they were removed in haste. Be that as it may, Home Depot owns that land and has no plans to develop it. What that means is they're holding on to the land for speculative purposes.

That is disquieting to me and should be disquieting to everyone in this chamber because those lands will be held and will be sold at some point to the highest bidder, most likely when things start to move. The value of the land will appreciate and it may or may not come into public hands or be used in a public way. It is the first readily available land that one reaches on the harbourfront as one travels east along Lake Shore Boulevard. It is a very large piece of land.



We also see what is happening down there. There is a Canadian Tire facility that is proposed and going before the Ontario Municipal Board in short order. We will have yet another Canadian Tire store on that land. Is that the dream the members here have? There's nothing wrong with a Canadian Tire store; I have two in my immediate neighbourhood, one that you can walk to and the other you can drive to in five minutes, and there's one further down on the Danforth from where I live that one can drive to in about eight or 10 minutes. I have nothing against them. I shop there quite often. But is that the dream we have for the harbourfront? I would hope not.

I see a much bigger use for this land. I see a use that is public, where people can go and enjoy themselves, where we can market ourselves for the whole world, where we can have things that are so unique, so wonderful and so Canadian that people will want to come here from all over Canada, all over the United States and further afield than that.

We have the disquieting problem of what took place about two years ago when TEDCO, the Toronto Economic Development Corp, which is an arm's-length agency from the city of Toronto, renewed the contract involving Knob Hill Farms without public debate. That was prime land that was going to be in the middle of the Olympic village and is certainly in the middle of this wonderful piece of land. That has never truly been resolved and needs to be resolved by this new corporation.

In two years we have seen a major setback. We have allowed the big retailers to gain a foothold in this prime land and we have waited a year beyond what we should have to have this bill before this Legislature. Thankfully it's better late than never and we're on to it today. I commend the government for that, although it's a little late. I am heartened by what the member from Oak Ridges had to say earlier, that there were going to be some changes to the legislation, and I would like to propose some others that I think are essential. I trust this is going to committee and that it won't be rammed through and a closure bill brought forward like we had this morning. I trust that this goes to committee so that we can look at those changes that are being proposed, because I think they're good ones.

I would also like to talk about some other changes that are necessary in order to make sure that the public is totally protected. At the present time the corporation will be outside of the freedom of information act. This is a wrong-headed thing to do for something that is so vitally important to the public of this city and this province. It needs to be brought back within the freedom of information and privacy legislation. It is not a crown agency and therefore is not subject at this time, but it could be drafted within the legislation either now or immediately in the future or put into the regulations that it be brought into the freedom of information act so that everyone would be able to find out at any given time what was going on.

There may be instances—and I understand this—where business deals are being made and one needs to

protect one's business versus those of another or against a competitor, but that clearly can be put into the regulations.

I think for a while of the time I spent on the board of directors of the Hummingbird here in Toronto—a wonderful organization. For those who haven't been there for a while, it used to be known as the O'Keefe Centre. At that location there were many things. It was a public corporation and many of those issues that were resolved within the corporation were open to the public; some were not, and clearly they were not because of competitive advantage. It was part of the charter of that organization, set down both by the city and the province.

I am suggesting that a similar tack be taken there, that the public has a right to know. The public has the right to know because of the debacle of what happened in Knob Hill Farms and the TEDCO lands. They have the right to know all the sales of lands that could conceivably take place. Some of the land will have to be sold in order to raise the necessary capital. They need to know who is buying the land or that the land is sold for fair market value, and whether there is a tender process so that people cannot make windfall profits by buying it. There cannot ever be any person who stands up and says, "This was a shady deal." We need to know, when we are handling public land, that it is handled in a very public way.

#### 2110

The sale of land and the rights will bring in billions of dollars at some stage in the development; maybe not immediately, but at some stage when things start to move, that land will become increasingly valuable for hotels, for artistic venues, for high-end condos. We need to make sure that any land that is sold, no matter how much that land is—we have the right to protect the public interest. Not only do we have the right, we have the duty to do so.

In this country we have a long history, most of it wonderful and glorious but some of it more than a little shameful. I'm thinking particularly around the railways, when the railways took huge tracts of land from the government in order to build the railways. People made enormous sums of money by taking up prime real estate, which exists to this day in Toronto, Montreal, Winnipeg and Vancouver, and it's all railway land.

We need to make sure that where corporations are brought in and where we have public-private partnerships, the money, if it is to be made, would go in part to business people, because why else would they do it—and I'm not naive—but in large part it has to go back to the public, who own the land. In large part, it has to go back to the cities and to the province, which are themselves risking a fair amount of money in this dream.

I also look at what happened in the Hudson's Bay Co, which is very much the same. Huge tracts of land were given to them. That is to this day some 200 or 300 years old. I don't know how old it is. It's the oldest corporation in North America and probably one of the oldest in the world. Its land holdings were so extensive due to

governments giving away the land to them in order to help the settlement process and the public interest was not protected in those years leading up to Confederation.

There is nothing in the bill that talks about affordable housing. Affordable housing on the lands around the Don River has been a dream of the city of Toronto for many years. In fact, the city of Toronto—this is the old city—went out and bought some lands called Ataratiri to build public housing on them. It was one of the great debacles of that old city council, to buy the land for untold millions of dollars and to end up being unable to develop the land because it was too toxic to do so. It could not comply with any of the laws of Ontario that existed at that time. The cleanup would have cost too much money. Although the land was there and the idea was noble, it just simply could not be done.

Having said that, the dream of the city of Toronto is still to get people down into those derelict sites and have real housing for people who need it. Quite frankly, I think that dream has not died. What we need to do is to ensure that if money is invested, the land will be habitable. We need to ensure that where the factories were, if there are to be commercial enterprises, hotels, movie theatres or art galleries, it too is habitable. We cannot have people going on to toxic sites. They need to be cleaned up.

We need affordable housing. We have all seen what happened this past week in tent city. We have seen what happened there. There is no doubt in my mind or in the minds of anyone else that that land was owned by Home Depot and that the people there were squatters. The only question in everyone's mind was, when they were evicted from that site four and a half years after they had arrived, "Was it done humanely and responsibly?" To my mind, it was not done humanely and responsibly, with people locked out of their homes, without their medication, without their identification, without their money and, in some cases, with pets still inside the house. It could have been done better.

But having said that, there is a need for something to be done for people like those who live in tent city. There is much derision, and I heard some here today: "Why don't they just get a job?" If one were to meet these people, one could easily, easily understand the difficulties they have. Some have been in jail for a long time. Many have been abused. Many have psychiatric and emotional problems. Some, too, have drug and alcohol problems. They simply need a place to live. What I am suggesting is that the place to live should and can be in locations that are down there. It does not have to become an enclave of the rich. It can be a place for everyone.

This government has not built any assisted housing in the last seven years. As I said earlier, there is a waiting list in the city of Toronto that would just shock you, of people needing affordable housing. It is the number one issue in my office every day. Some members stood up earlier and said that the problem of deadbeat parents not paying child support was their number one problem, but I want to tell you that inside the city of Toronto, although

that is maybe the number two or number three problem, it is not the first one. The first one, without a doubt, day in and day out, is that people are desperate for a place to live. We need to make sure that whatever is built on those lands must include a residential portion, and it must include a portion that is affordable.

This government has also gutted tenants' rights under the Tenant Protection Act. Above-guideline increases, fees for a one-time spike in natural gas prices that are forever, and vacancy decontrols have all taken their toll in this city. A one-bedroom apartment now is \$900-plus, a two-bedroom is now close to \$1,100, and those are the average costs.

**Hon Dan Newman (Associate Minister of Health and Long-Term Care):** What's the property tax?

**Mr Prue:** "What's the problem with that?" they ask opposite. What's the problem with that? The problem is that there are many people in this city who earn minimum wage. Even those who work would find a hard time. I would challenge any of you: 40 times \$6.75 is about \$300 a week, and after taxes you wouldn't take home \$1,000, which means you couldn't get a one-bedroom apartment and eat. That's the problem with that.

There is no mention in the bill—Howard Hampton's private member's bill, Toronto Waterfront Fair Housing Act, would have resolved that. In fact, I would like to see the government come forward with something like this, not today—because this is the day to deal with the actual meat and the guts of this bill—but certainly in the future there needs to be a component. I would suggest the component might come 12 months from now. I would take the government at its word if the minister stood up and said that was the intent, to give some kind of direction to this new corporation that 12 months from now they would come up with a plan that would look at housing that is desperately needed in this city. In fact, many things are desperately needed in this city, but the number one has to be housing. If that can be resolved on this site and every other available site, then all of the problems of homelessness, all of the problems of poverty, all of the problems of social dislocation will be, if not eradicated, then at least alleviated to a huge extent.

A year ago, as I said, I took my seat right here in this little corner of this august chamber and set to work. One of the first things I had an opportunity to do was to sit down and help to write an urban vision for our cities. Some people accused it of being a little Toronto-centric, but what can I tell you? I have spent my entire life in this city. Although I have travelled to a great many places and although I did once live, for some nine months when I was a student, at Carleton University in Ottawa, the rest of my time I have spent here.

2120

I don't think it is a Toronto-centric document; it is a document for everyone. What we proposed a long time ago—some 10 months ago when this was first published—I think bears out what is needed here in Toronto at this location but could equally be used in Sarnia or any of the ridings in this province. It could equally be used in



small towns as in large cities, in urban as in rural places. It is an empowerment of municipalities to do the right things to build dynamic downtowns.

I would just like to read one small little bit from that, as to what needs to be done. If this is done here at the waterfront, then this will be a template or a model for what could happen all over this province. It's the 52nd recommendation and it reads:

"Create a special fund for a dynamic downtown funded through a contribution of two cents a litre of the existing gasoline tax. This money would be in addition to the two cents a litre that will fund the Ontario transportation trust fund. The funding would also be in addition to current provincial funding commitments.

"The fund for a dynamic downtown would be allocated to projects developed and submitted by cities. It would fund:

"the cleanup of 'brownfield sites'; former industrial sites should be put to new use,

"grants to restore heritage property,

"new downtown parks and public spaces or restoration of existing ones,

"capital grants for dynamic cultural facilities like museums, theatres and music venues,

"architecturally impressive new public buildings," and

"waterfront development."

It would seem to me quite logical that all of those are necessary and all of those will actually come to fruition on the waterfront. That is the place where all of those can happen. This is the first opportunity and probably the biggest and best opportunity in the province to fund and support a dynamic downtown.

Having said that, once this is started, this will be the template or the dream for places like Windsor or Brantford or Hamilton. It will be a dream that can be realized in every town and city in this province.

There is another problem with the bill—and this may be resolved fairly soon because of that which the member for Oak Ridges talked about—and that is that the business plan under the bill must be made 90 days before the beginning of each year. That is a good idea. Nobody has any problem with the business plan. What is not there is a requirement that that business plan be made public. It is essential that the business plan be made public. It is essential that people have an opportunity to see what is in the business plan as it evolves. It will be necessary that this plan be shared with governments at all three levels. We believe it should be made available to every citizen who has an interest in this property. Without that, without the knowledge of how it unfolds and what is happening to it, year in and year out, the public will be shut out of the process. As has been said by the member from Oak Ridges, that is not the intention, and if it is not the intention, then this too will need to be changed within the act.

There is no provision within the act that there be an annual audit. There must be an annual audit so that people can see how much is being spent, how much money is being taken in, what land deals are being made,

whether they are successful, whether they meet the test of the auditors.

**Mr Gill:** Better than you ever did.

**Mr Prue:** Better than I ever did? What did I ever do that you didn't like?

**Mr Gill:** Your party.

**Mr Prue:** My party? I wasn't here.

There is a further provision that I think needs to be changed. It's a strange provision and I do not pretend to understand why it is there. Reading from the act itself, it's found in section 13. Section 13 talks about winding up the corporation, and 13(1) says,

"The provincial government may by order require the board of directors to wind up the affairs of the corporation on or after the 20th anniversary of the date on which section 2 comes into force."

It then goes on to talk about the restriction, the mandatory winding-up, the duty of the board and the transfer of assets and liabilities, all within that section.

This is rather strange. First of all it gives the power to the province and not to the municipality or the federal government, who everywhere else in the bill are equal partners. I would suggest that they need to remain equal partners even in the event that the corporation is wound up.

Robert Fung himself said that this is a project that will take a minimum of 25 years and perhaps longer. There is no sense in being able to wind up a corporation in 20 years at the express wish of only one of the partners if the job remains undone. I would suggest that section 13 needs to be rewritten to allow for a realistic time frame and it needs to involve both of the funding partners; both the city and the federal government. To do it unilaterally, as has been suggested in this section, is to do a disservice to the people we are trying to bring on board. Certainly the time frame that has been suggested is unrealistic in terms of what the chief architect of this plan says is doable. He is talking in terms of a minimum of 25 years, and this will seek to wind it up potentially after 20.

There is another problem. Mr Speaker, have I still got time? Not much.

**Mr Garfield Dunlop (Simcoe North):** We've got three more minutes of pain.

**Mr Prue:** I'm going to give you more when I come back the next time.

**Hon Brad Clark (Minister of Labour):** We won't be on duty.

**Mr Prue:** Oh, good. All right. Then somebody else will comment. I hope they read it.

**Mr Dunlop:** We're trying to listen to you.

**Mr Prue:** I know you are.

The next problem I see here is that the city of Toronto is still at this stage a junior partner. They need to be brought on board not as a junior partner but as a full-fledged partner. The decisions will primarily affect the city of Toronto and its residents, particularly those residents who live in proximity to the southeast end of the city: the residents of Toronto-Danforth, Beaches-East York and Rosedale. Those are the ones that are in the immediate proximity and they need to be the full partner.

No one else in the province will be affected to nearly the same degree. No other city will be affected to the same degree and certainly the province needs to make the city of Toronto a full partner. The Municipal Act should be amended to recognize that the city has that authority as of right. If there is one thing the city of Toronto should have as of right, it's equality when it comes to developing these lands.

There is also no provision in the act for open, public meetings. All of these meetings can take place in private. All of these meetings can shut out the public. No matter what the topic is, there is no provision that will allow the public to enter those meetings, which many times may be board and confidential meetings. I understand that, but there needs to be a mechanism where it is not essential to protect the asset of the corporation. Where there is no business decision being made, there needs to be a provision for the holding of public meetings. That is not in this act and should be in this act.

Mr Speaker, I think it's about 9:30. I'm prepared to stop at this time—it's an appropriate time—and continue later. Thank you.

**Hon Mr Newman:** On a point of order, Mr Speaker: During the comments from the honourable member from

Beaches-East York, when he was talking about the high cost of rental apartments in Toronto, there was an interjection by myself. I interjected by saying, "How much is the property tax?" and not what the member thought I had said. I wanted the record to accurately reflect that I did say, "How much is the property tax?" In Toronto, residential apartments pay a far higher tax than they ought to.

**The Deputy Speaker:** I indicated to the minister that if he wished to do that, it would be a stretch of the rule but I would allow it. I did hear that exchange and I know the member from Beaches-East York is a fair-minded individual and would not want an unfairness to remain on the Hansard when there was an opportunity to correct it. So I've allowed that, and my recollection is the way the minister has reflected on it.

Therefore, I will also indicate to the member that he will have the opportunity to complete his 20 minutes and one second the next time Bill 151 is called for continued second reading debate.

It being a little after 9:30 of the clock, this House now stands adjourned until 1:30 tomorrow afternoon.

*The House adjourned at 2130.*



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**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
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Ancaster-Dundas-Flamborough-Aldershot	McMeekin, Ted (L)	Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Haliburton-Victoria-Brock	<b>Hodgson, Hon / L'hon Chris</b> (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Beaches-East York	Prue, Michael (ND)	Halton	Chudleigh, Ted (PC)
Bramalea-Gore-Malton-Springdale	Gill, Raminder (PC)	Hamilton East / -Est	Agostino, Dominic (L)
Brampton Centre / -Centre	Spina, Joseph (PC)	Hamilton Mountain	Bountrogianni, Marie (L)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	<b>Clement, Hon / L'hon Tony</b> (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée	Hamilton West / -Ouest	Christopherson, David (ND)
Brant	Levac, Dave (L)	Hastings-Frontenac-Lennox and Addington	Dombrowsky, Leona (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
Burlington	<b>Jackson, Hon / L'hon Cameron</b> (PC) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Cambridge	Martiniuk, Gerry (PC)	Kingston and the Islands / Kingston et les îles	Gerretsen, John (L)
Chatham-Kent Essex	Hoy, Pat (L)	Kitchener Centre / -Centre	Wettlaufer, Wayne (PC)
Davenport	Ruprecht, Tony (L)	Kitchener-Waterloo	<b>Witmer, Hon / L'hon Elizabeth</b> (PC) Deputy Premier, Minister of Education / vice-première ministre, ministre de l'Éducation
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Don Valley West / -Ouest	<b>Turnbull, Hon / L'hon David</b> (PC) Associate Minister of Enterprise, Opportunity and Innovation / ministre associé de l'Entreprise, des Débouchés et de l'Innovation	Lanark-Carleton	<b>Sterling, Hon / L'hon Norman W.</b> (PC) Minister of Transportation / ministre des Transports
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Elgin-Middlesex-London	Peters, Steve (L)	London-Fanshawe	Mazzilli, Frank (PC)
Erie-Lincoln	<b>Hudak, Hon / L'hon Tim</b> (PC) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises	Markham	<b>Tsubouchi, Hon / L'hon David H.</b> (PC) Chair of the Management Board of Cabinet, Minister of Culture / président du Conseil de gestion du gouvernement, ministre de la Culture
Essex	Crozier, Bruce (L)	Mississauga Centre / -Centre	Sampson, Rob (PC)
Etobicoke Centre / -Centre	<b>Stockwell, Hon / L'hon Chris</b> (PC) Minister of the Environment, government House leader / ministre de l'Environnement, leader parlementaire du gouvernement		
Etobicoke North / -Nord	Hastings, John (PC)		
Etobicoke-Lakeshore	Kells, Morley (PC)		
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
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Mississauga South / -Sud	Marland, Margaret (PC)	Scarborough-Agincourt	Phillips, Gerry (L)
Mississauga West / -Ouest	Snobelen, John (PC)	Scarborough-Rouge River	Curling, Alvin (L)
Nepean-Carleton	<b>Baird, Hon / L'hon John R.</b> (PC) Minister of Energy, Minister responsible for francophone affairs, deputy House leader / ministre de l'Énergie, ministre délégué aux Affaires francophones, leader parlementaire adjoint	Simcoe North / -Nord	Dunlop, Garfield (PC)
		Simcoe-Grey	<b>Wilson, Hon / L'hon Jim</b> (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Niagara Centre / -Centre	Kormos, Peter (ND)	St Catharines	Bradley, James J. (L)
Niagara Falls	Maves, Bart (PC)	St Paul's	Bryant, Michael (L)
Nickel Belt	Martel, Shelley (ND)	Stoney Creek	<b>Clark, Hon / L'hon Brad</b> (PC) Minister of Labour / ministre du Travail
Nipissing	McDonald, AL (PC)	Stormont-Dundas- Charlottenburgh	Cleary, John C. (L)
Northumberland	<b>Galt, Hon / L'hon Doug</b> (PC) Minister without Portfolio, chief government whip / Ministre sans portefeuille, whip en chef du gouvernement	Sudbury	Bartolucci, Rick (L)
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Ottawa-Vanier	Hardeman, Ernie (PC)	Willowdale	<b>Young, Hon / L'hon David</b> (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Oxford	Kennedy, Gerard (L)		
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Parry Sound-Muskoka	Johnson, Bert (PC)	Windsor-St Clair	Duncan, Dwight (L)
Perth-Middlesex	Stewart, R. Gary (PC)	York Centre / -Centre	Kwinter, Monte (L)
Peterborough	<b>Ecker, Hon / L'hon Janet</b> (PC) Minister of Finance / ministre des Finances	York North / -Nord	Munro, Julia (PC)
Pickering-Ajax-Uxbridge	Parsons, Ernie (L)	York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
	Conway, Sean G. (L)	York West / -Ouest	Sergio, Mario (L)
Prince Edward-Hastings			
Renfrew-Nipissing- Pembroke	Di Cocco, Caroline (L)		
Sarnia-Lambton	Martin, Tony (ND)		
Sault Ste Marie	Mushinski, Marilyn (PC)		
Scarborough Centre / -Centre	Gilchrist, Steve (PC)		
Scarborough East / -Est			

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



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Clerk / Greffier: Katch Koch

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of Ontario**

Third Session, 37<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Troisième session, 37<sup>e</sup> législature

# **Official Report of Debates (Hansard)**

# **Journal des débats (Hansard)**

**Tuesday 1 October 2002**

**Mardi 1<sup>er</sup> octobre 2002**

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 1 October 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 1<sup>er</sup> octobre 2002

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### MUBARAK AHMAD ANSARI

**Mr Mario Sergio (York West):** Today, October 1, has been designated by the United Nations General Assembly as the International Day of Older Persons. The objectives of this day are to address areas of concern for older people, including independence, participation, care, self-fulfillment and dignity.

It is certainly fitting that I rise today to pay tribute to an outstanding senior and hero from the riding of York West. Yesterday Mubarak Ahmad Ansari was the honoured recipient of the Ontario Senior Achievement Award at Queen's Park for his lifelong passion for helping others.

Mubarak Ahmad Ansari is a legend in our community. Wherever he sees a need, he responds with generosity and compassion. After he arrived in Canada from Pakistan in 1991, Mr Ansari immediately offered his services to the Ahmadiyya Muslim Community, a charitable organization, where he took charge of planning educational programs. Later he became head of the community's reconciliation board, a counselling service, and has spent countless hours helping families solve their problems.

As a regular visitor to a hospital and a seniors' housing complex in his neighbourhood, Mr Ansari has brightened the lives of many patients and residents alike.

On behalf of the York West community and all members of this House, we take great pride in congratulating and expressing our gratitude to this fine senior who proudly exemplifies the principle for older persons as defined by the United Nations General Assembly.

#### COMMUNITY LEADERS IN NIPISSING

**Mr AL McDonald (Nipissing):** I stand before the Legislature today to let everyone know how proud I am of the riding of Nipissing and how the community leaders are making a positive difference in the lives of our future—our children.

Mr Paul Lamont, owner of the Canadian Tire store in North Bay, has developed a Junior Citizenship Award for schoolchildren. Each week one class is awarded the

award for their involvement in voluntary activities, such as shovelling driveways for seniors, helping the humane society, cleaning up local surroundings and so on. This in turn is making our area a better place to live, in addition to showing children the rewards of volunteering.

On September 20, I attended W.J. Fricker school for the special occasion of Mr Burke's grade 8 class of 2002 winning the Junior Citizenship Award for the year. Mr Burke has shown himself to be a community leader, a phenomenal volunteer and one amazing teacher.

I would like to read a letter to the editor of the North Bay Nugget written by Dianne McLeod. It reads:

"Here it is the last day of school. To my surprise my daughter has come home in tears. 'This is the last day of school. You should be happy. No more books or studying. You can sleep in and relax the whole summer before high school in September.'

"She continues to cry. She doesn't want to leave this school. You see, she had Mr Burke as a teacher this year and she enjoyed every minute of school. He was a great teacher. I went to school to pick up some stuff after she arrived home. To my amazement, here were students in his class at 3:45 refusing to leave. They were all crying in this room, boys and girls and Mr Burke.

"I'm writing to tell you how great Mr Burke really is. It's pretty obvious by his students' reaction on the last day of school. This man deserves to be recognized for the love and compassion he has for teaching and his students. He believes he's only as good as his students. Now that's a teacher who is loved and very respected."

#### HYDRO RATES

##### **Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):**

The town of Rockland, my hometown, made the front page of the Ottawa Sun yesterday and the phones haven't stopped ringing since.

Rockland is one of the 17 municipalities on grid for another 40% increase on their hydro bills. What an increase. I say to the Minister of Energy, what do you plan to do to help the people of Rockland, who have already seen a commodity rate increase of 275% since May 13?

On that day, May 13, the former Minister of Energy proudly said in the House that the rate was 2.83 cents per kilowatt hour and today at 11 o'clock the IMO reported that the rate was 7.79 cents per kilowatt hour. This is where my 275% increase comes from.

E-mails received today from residents of Rockland say that budgets are already stretched and expectations are that For Sale signs could go up all over town.

Another example of mismanagement of Hydro One is that local contractors in eastern Ontario are faced with an increase of 332% for residential hydro connection charges. Contractors received invoices with this 332% increase without explanation and with no prior notice.

From March to June this year rates went up from \$224 to \$968 for each connection in subdivisions, a 20-minute task. How do you think contractors will recover this increase as they have already provided new homeowners with the final price for their homes?

Is this money needed for large salaries and bonuses for top executives at Hydro One?

### HURON-PERTH CENTRE FOR CHILDREN AND YOUTH

**Mr Bert Johnson (Perth-Middlesex):** I rise in the Legislature today to congratulate the Huron-Perth Centre for Children and Youth on its 25th anniversary. The centre's mission is to help families solve problems, and since 1977 they have been providing extremely beneficial programs and services, particularly in the area of children's mental health services.

I want to take this opportunity to recognize the outstanding efforts of the centre's chief executive officer, Terri Sparling, and her staff in the Stratford, Listowel and Clinton offices. Terri and her staff are to be commended for the passion and commitment they have toward the children and families they help.

I also want to recognize board president Lisa Harper and the board of directors, the Kiwanis Club of Stratford, the Avon Maitland District School Board, the children's aid societies in Perth and Huron, the United Way of Perth, the Zion Lutheran Church and other community partners. They have helped the Huron-Perth centre carry out its programs and services for the past 25 years.

I'm delighted that my colleague the Minister of Community, Family and Children's Services met with staff and board members during a visit to the centre's Clinton office in August.

I would ask all members of this Legislature to join me in congratulating the Huron-Perth Centre for Children and Youth on 25 years of exemplary service to children and families in my riding and the neighbouring area.

### DIAGNOSTIC SERVICES

**Mrs Sandra Papatello (Windsor West):** In the last session, the Minister of Health denied that there was a problem with waiting lists for common diagnostic testing in this province. Let me tell you what that denial has caused.

Today, 90% of those on waiting lists will wait longer than is medically appropriate. Here are some examples that ought to make all of us astonished.

At Southlake Regional Health Centre in Newmarket, patients wait up to 12 weeks for a barium enema. In Mississauga, patients wait up to 14 weeks for an ultrasound. In Windsor they're waiting eight weeks. In Kitchener, a patient can wait up to 30 weeks for a CT scan. How much longer do people need to wait until we realize there's a problem?

A patient waiting 20 weeks for a mammogram then has to wait even longer for a follow-up CT in order to get a more detailed diagnosis. It's completely unacceptable.

Last week the government quietly announced a CT scan for Lake of the Woods in Kenora. Minister, if you think you can sit and pat yourself on the back, you're sadly mistaken. It still takes 14 weeks for a patient to receive a chest X-ray for potential lung cancer. In that time, there's much potential for that disease to spread.

Making one announcement doesn't even begin to address the problems. There are so many commonly ordered diagnostics that are being ignored. They are taking too long.

You can only stick your head in the sand for so long. In the past seven years, we've watched this government cut away at diagnostic services. These people shouldn't have to wait.

1340

### EDUCATION FUNDING

**Mr Rosario Marchese (Trinity-Spadina):** I just want to let the folks watching this parliamentary channel know that we put together an NDP education vision for the 21st century about three weeks ago or so. What we want to say to the public is that this is our response to the education crisis we are all feeling in the province.

Many of you know the education system is broken. This government has broken the education system in more ways than one. We need an alternative vision to be able to do that. We put that together. We did that by working hard with many of our educational activist teachers, principals and parents on what we believe is a very good, practical, visionary response to the problems we face.

**Mr Peter Kormos (Niagara Centre):** How do I get a copy?

**Mr Marchese:** I'm going to come to that.

It's a response to the fact that the funding formula is broken, and we say we need to re-invest. You can't say it's broken and not put money back into the education system. We're doing that. We're creating two new tax categories for people who earn over \$100,000 or over \$150,000, so that those who earn whatever money over \$100,000 get taxed in one category and those who earn over \$150,000—whatever they earn over that amount—would be taxed as well. We would raise \$1.3 billion to pay for that. That's how we would do it. That's how we would reinvest.

If you want a copy of this paper, please call us at (416) 325-9092.



## INA TROLOVE

**Mr Norm Miller (Parry Sound-Muskoka):** It gives me great pleasure to pay tribute to a very important constituent of Parry Sound-Muskoka. Ina Trolove of Burk's Falls paid a visit to Queen's Park yesterday to receive a 2002 Ontario Senior Achievement Award. Ina Trolove is one those very special individuals who spend their lives in the service of others. She is a daughter of the Mnjikaning First Nation and rightfully proud of her heritage.

Now approximately 90 years of age, Ina continues to be involved in many community activities, including the Burk's Falls branch of the Canadian Red Cross, which she joined in 1949. She was recognized with the Order of the Red Cross last year for her more than 50 years of service.

Ina has been an outstanding volunteer in her community of Burk's Falls and has been a key member of the agricultural fair board, the historical society, All Saints Anglican Church, where she maintains beautiful gardens, and the PC riding association, where she volunteered as secretary for 45 years.

Ina is close to the same age as Stan Darling. She ran Stan's constituency office single-handedly until he retired when they were both about 83. In Stan's words, "Ina was so dedicated she never took any holidays in all those 15 years; she said she was too busy."

It is indeed a great honour to receive the senior achievement award. Ina is an outstanding example of the service and dedication to community that the award seeks to recognize.

## CHINESE COMMUNITY

**Mr Tony Ruprecht (Davenport):** In the history of mankind an important occasion took place 53 years ago: the founding of the People's Republic of China. Today, helping us to celebrate in this council chamber are the Consul General of the People's Republic of China, Madam Sun, and her staff, Ping Tan and Hueghs Eng, and a whole number of guests.

As we celebrate this historic event, we are mindful of the People's Republic of China's economic achievements: doubled the standard of living; increase in education—one of the most excellent institutions; hospital care improved 60%; and GDP over the last 10 years of more than 9.2%—outstanding achievements.

While we are mindful of these tremendous economic achievements, we are also mindful of what has been established by Canadians of Chinese background in Canada. Since 1850 Chinese Canadians have been here, at first with the gold rush, the Cariboo and the Fraser Valley, and then 17,000 Chinese came to help build the Canadian Pacific Railway.

Today we find their contribution in every aspect of public life in Canada. So I say to them, while we are reminded of your economic contribution, what we seek today is a friendship between our two peoples, Chinese

Canadians as the bridge between China and Canada. Together we will see the future, and the future looks bright between our two countries.

## VISITORS

**The Speaker (Hon Gary Carr):** Just before we begin, may I welcome Madam Sun, the Consul General, a very good friend of mine as well.

Also with us today in the Speaker's gallery we have the new Consul General of Russia in Toronto, Mr Nickolay Smirnov, and his wife, Tatiania. Please join me in welcoming our other honoured guests. We welcome all our honoured guests.

## ORONO CHILI COOK-OFF

**Mr John O'Toole (Durham):** I rise in the House today to mention yet another highly successful event in Durham riding. I'm pleased to report that a record crowd attended the Orono fourth annual Chili Cook-Off on September 21. This was another excellent, all around family activity that included participation by business, volunteers of all ages and 23 contestants.

Congratulations also to Evelyn Rozario—no relation to Rosario Marchese—president of the Orono Business Improvement Area, and all of the BIA members who made this event possible. Not to delay the suspense any longer, here are the winning chefs: the Judges Choice Award went to Donna Clement; the People's Choice Award went to Don Brosseau; the team of Evan Moore, Doug Garlick and Chris Moffat took the prize of spiciest chili. Pam Oakes entered the judges' contest with the best vegetarian chili; Gerry and Lorraine Skipwith received the prize for the best booth. I wonder what that means.

The event was so successful that plans are already underway for the 2003 Hot Stuff in Orono contest.

This is but one example of the many outstanding community-based celebrations taking place in my riding of Durham this fall. I encourage everyone to visit the Durham riding and enjoy such events as the Orono Chili Cook-Off. I might add that this weekend, Saturday October 5, Newcastle has the Fall Festival with a spaghetti dinner. I encourage everyone to attend these and other events occurring in my riding of Durham this fall.

## INTRODUCTION OF BILLS

### ONTARIO WATER RESOURCES AMENDMENT ACT, 2002

### LOI DE 2002 MODIFIANT LA LOI SUR LES RESSOURCES EN EAU DE L'ONTARIO

Mrs Marland moved first reading of the following bill:

Bill 183, An Act to amend the Ontario Water Resources Act / Projet de loi 183, Loi modifiant la Loi sur les ressources en eau de l'Ontario.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The minister for a short statement?

**Mrs Margaret Marland (Mississauga South):** It's my pleasure and privilege today to reintroduce the bill that I previously tabled in the 34th session of Parliament, when the Liberals were the government.

*Interjection.*

**Mrs Marland:** It did pass second reading but it went into that famous committee of the whole. The subject is one on which now the federal government has decided, after 30 years, to issue a discussion paper. With a multi-billion dollar industry in bottled water, I believe it is time to protect the public with updated standards and regulations now. My bill would address this void. It is very much overdue, and I look forward to the support of the House.

Obviously, it takes a long time for the lottery system to come around and I'm happy that my lottery has now come up. I'm anticipating expeditious passage of my bill, and I anticipate that all members of this chamber will want to protect their constituents and consumers of bottled water.

1350

## STATEMENTS BY THE MINISTRY AND RESPONSES

### ENVIRONMENTAL PROTECTION

**Hon John R. Baird (Minister of Energy, minister responsible for francophone affairs):** The people of Ontario want to protect the environment. They know that clean energy will go a long way toward achieving that objective. They continue to express their demand for cleaner, affordable sources of energy.

This government has been listening, and we've acted and will continue to act to help ensure that the people of Ontario have access to the widest possible variety of clean fuels.

In fact, Ontario was already a North American leader in supporting clean fuels and energy sources.

*Interjections.*

**Hon Mr Baird:** I know the members opposite are excited.

For example, almost two thirds of Ontario's power is already generated by hydroelectric and nuclear plants, which produce almost no pollution, and that compares quite favourably with many jurisdictions in the United States, which are 85% fossil fuel.

Thanks to changes our government made to Ontario's Environmental Assessment Act, which encourages cleaner energy sources, over 2,000 megawatts of natural gas-fired energy capacity have been approved in Ontario over

the past two years. Furthermore, the Ontario government continues to waive its fuel tax for the ethanol portion of ethanol-blended fuels.

I notice the member for Leeds-Grenville, a big supporter of ethanol, sitting beside me in the House today.

But we know that our work in this area has just begun, and we are committed to do more.

I have in my hand a copy of the final report of the select committee on alternative fuels. This Legislature created an all-party committee in 2001 and equipped it with a mandate to investigate new ways of supporting the development and application of alternative fuels in the province.

On behalf of all members of the House and on behalf of the people of Ontario, I'd like to thank all members of the committee, from all sides of the House, and the good chairman, Doug Galt, for their outstanding effort.

The committee's final report presents a broad range of policy ideas indicating the large variety of options that the government may consider in its continued support of alternative fuels.

In a number of areas the committee's report supports Ontario's existing direction, while other areas require a lot more analysis before programs can be developed.

By the end of the 2002 calendar year, this government will come forward with a progress report on alternative fuel initiatives. I've asked my parliamentary assistant, Steve Gilchrist, to consult with experts, consumer and environmental groups and market participants in the electricity, gas and fuel sectors, with a view to making recommendations for a renewable portfolio standard for Ontario.

The members on all sides of the House will know the commitment that my colleague the hard-working member for Scarborough East has, not just to renewable energy but to the environment. I'm pleased that he'll be able to have the opportunity to continue to advance this direction as an environmental leader in our province, not just in this House.

I'm proud to point out that selected alternative fuel initiatives are well on their way to becoming reality. The Ontario government has already proposed initiatives, guided by the committee's final report, such as creating a tax incentive for consumers to buy products that use these renewable fuel sources. The government committed to an exemption from the 14.3-cents-per-litre fuel tax for biodiesel fuels in June 2002, creating a tax incentive for consumers to buy energy-efficient cars and trucks.

In its June 2002 budget, the government committed to extending the sales tax rebate for hybrid electric automobiles to cover sport-utility vehicles and light-duty trucks.

Together, I believe we can make a tremendous difference to our environment and to the future of Ontario.

I'd like to turn it over to my good colleague the Minister of the Environment.

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** The government is committed to doing more, drawing from the final report of the



alternative fuels committee. The government has identified eight key policy areas for future initiatives and will pursue those, which will (1) provide government leadership; (2) establish an alternative energy strategy; (3) encourage renewable electricity generation; (4) reduce dependence on coal for electricity generation; (5) encourage energy efficiency/conservation; (6) encourage biofuels, hydrogen and other alternative transportation fuels—

**Interjection:** Speak from the heart.

**Hon Mr Stockwell:** I don't have a mirror, sorry—(7) support technology and innovation; and (8) raise public awareness and participation.

I've asked the ministry to examine the costs and benefits, with the goal of implementing the report's recommendations.

Supporting alternative fuels now and in the future is part of the Ontario government's comprehensive approach to clean air. This approach includes innovative initiatives such as:

(1) improvements to Ontario's air quality index, which were announced on August 23 of this year, when we added fine particulate matter to the index;

(2) consultations with major industrial emitters on introducing stringent emission limits for smog- and acid-rain-causing emissions in Ontario;

(3) strengthening Ontario Smog Patrol for better enforcement of vehicle emission standards on roads throughout the province.

(4) This year we again expanded Drive Clean, a program that now covers—

*Interjections.*

**Hon Mr Stockwell:** Are you OK? You're all right? Maybe you want to see the veterinarian?

(4) This year we again expanded Drive Clean, a program that now covers all municipalities, from Windsor to the Quebec border.

(5) We have introduced stringent emission caps for the power sector as part of this government's comprehensive environmental protection framework for Ontario's electricity sector.

(6) We required the Lakeview generating station in Mississauga to cease burning coal by April 2005.

I am looking forward to continuing along this path and making good on the Ontario government's commitment to supporting clean fuels and advancing our clean air approach.

I would now like to take this opportunity to thank that all-party committee that supported this recommendation. I might add that the all-party committee at the time signed on to closing all coal-fired plants by 2015, and I think—

*Interjections.*

**Hon Mr Stockwell:** I think we should personally outline those members on the opposition benches who signed on to closing those coal-fired plants by 2015. I want to personally thank them for their support, working on this committee to, again, close coal-fired plants by 2015. Mr Bradley deserves a round of applause. Mrs

Bountrogianni deserves a round of applause. Mr Parsons deserves a round of applause. Ms Churley also deserves a round of applause for endorsing the closing of coal-fired plants by 2015.

By working together as an all-party committee—and I congratulate all the committee members, including the four I just said, that, yes, we can get these coal-fired plants closed by 2015, and I'm glad you three signed your names to that.

## SENIOR CITIZENS

**Hon Carl DeFaria (Minister of Citizenship, minister responsible for seniors):** I am pleased to announce that October 1 is the International Day of Older Persons, as designated by the United Nations in 1990.

Today we have an opportunity to recognize and celebrate the tremendous contributions seniors have made, and continue to make, to the quality of life in the province of Ontario. Seniors in Ontario, all 1.5 million of them, deserve our acknowledgement, appreciation and deepest respect.

This government's goal is a province where all seniors can live in safety, with dignity, and have their contributions recognized.

As minister responsible for seniors, I co-hosted the sixth federal-provincial-territorial ministers' meeting this summer, in June. At that meeting, my colleagues and I made a commitment to work together to support our seniors.

In Ontario, we are leading the way with our strategy to combat elder abuse and have committed \$4.3 million to support this strategy. We do not, and we will not, tolerate elder abuse in Ontario.

From November 18 through November 20, our government is sponsoring our first major elder abuse conference, Sharing Solutions: Defining the Future. This conference will focus on elder abuse strategy and will also address healthy aging.

Raising awareness of seniors' issues will reduce negative attitudes and negative behaviours toward seniors. Our conference is the first step in this process. Empowering seniors to make personal choices in all aspects of their lives will provide them with greater independence, pride and dignity.

**1400**

Earlier this year, I announced the Ontario Seniors' Seminars, on safe medication use, avoiding frauds and scams, safe driving, advanced care planning and other topics important to seniors. Many of my MPP colleagues have already arranged for seminars in their ridings, and I urge each and every member of this House to make these seminars available to the seniors in their ridings.

Yesterday, the province of Ontario honoured 22 outstanding senior citizens at the 16th annual Senior Achievement Awards celebration here in the Assembly. These awards are for individuals who have volunteered their time and talents after the age of 65. They show that regardless of age, we all make our community a better

place to live through acts of volunteerism and continuing contributions to our province.

I ask all members to join me in saluting all older persons of Ontario.

### ENVIRONMENTAL PROTECTION

**Mr James J. Bradley (St Catharines):** I saw John Baird and Chris Stockwell speaking, but I could hear Ralph Klein's voice. The reason is that this is the most astounding, pathetic response to the alternative fuels report I could ever have contemplated. The government has had this report and its 150 recommendations for a period of five months now, and this is the very best that you could come forward with, some vague promises out there? It is absolutely astounding to see this.

The government obviously does not want to close its coal-fired plants. We have the Minister of Energy talking about some target of the year 2015; he refuses to commit. We have the member for Haldimand saying the government has no commitment to close the plants by 2015, and I think most people in this province recognize that can be bettered by several years, that all the plants can be closed by the end of the year 2007. I know the Minister of Health, who is very prominent on this issue, would agree with me that these plants can be closed by 2007, and I urge him to make sure he speaks up with his colleagues in this regard.

There is no commitment of any size, of any magnitude, to an investment in public transportation. There is no meaningful reference to conservation. You have to approach the demand side. Everybody is doing this. We're behind everybody else. Even some of the states in the United States that we consider to be somewhat neanderthal in the field of the environment are moving quickly. Minister, your parliamentary assistants would be able to list all the states that are way ahead of Ontario.

We have virtually no commitments out of this government, nothing emerging from this report, more stalling tactics taking place and a government deeply divided over closing coal-fired plants. They even want to leave the old dirty boilers in one of the significant coal-fired plants that is scheduled to close. So they will not even achieve the kind of air quality improvements they could have. There is no commitment to investment in alternative fuels or tax incentives to make sure we use much cleaner fuels. This is totally unacceptable. It is, I must say, extremely surprising to me that we have such a pathetic response to a very comprehensive report.

**Mr Michael Bryant (St Paul's):** The government is setting a target of 2015. By 2015 there will be nothing but coal-fired condos that can afford their hydro bills in the province of Ontario. People can't wait until 2015 for the promised hydro heaven to arrive. They need action now. Besides the McGuinty clean air plan, we need the government to move forward on its promised rebates now. We've heard the Premier, we've heard the parliamentary assistant, I think yesterday, to the energy minister talking about rebates for Herculean hydro prices. But

now we're hearing that these aren't going to come until August of next year. To make matters worse, everybody on a fixed-price contract, except for a few who bothered to read the fine print—no thanks to the government's lax regulation—is going to get no rebate.

So our message to the government is, we need relief for Ontario consumers now. We need you to roll out this rebate now—the full rebate, all the rebate and nothing but the rebate now. The time has come for the government to recognize that its actions have directly driven up hydro rates to a level that they would not have reached but for mistakes made by the government on the supply side, mistakes made by the government on the regulation side, and enormous incompetence undertaken by the government when it comes to hydroelectricity transmission and the future of Hydro One.

So now it's time for you to provide this rebate, to provide relief to Ontarians. So I say to you, roll out the rebate to compensate for Herculean hydro hikes. Roulez le rabais pour gagner maintenant. Do it for Ontario consumers. Bring in the rebate. They cannot survive until August. They won't wait until your election-goody budget. Bring out the rebate. Bring it out now.

**Ms Marilyn Churley (Toronto-Danforth):** There's hardly enough time to comment on this report that the minister has commented on today. It's fluff. There's no meat to the bones on this thing.

I have another report here from the Environmental Commissioner of Ontario.

*Interjection.*

**Ms Churley:** Yes, I did sign it. Just because you sign a report and you compromise all along so everybody can sign on, doesn't mean that we can't raise our standards very high. I made that clear during the committee when I signed on.

But look at the Environmental Commissioner's report of Ontario: weak support for energy conservation, cleaner fuels. Look at a report that came out from the Commission for Environmental Cooperation, a Montreal-based agency created under the North American free trade arrangement. The CEC's report said that the introduction of electricity competition in the US has increased power from cheap but dirty coal plants while expenditures on energy-efficiency measures were cut by 42% between 1995 and 1999.

What's happening here is this government is bringing us headlong into privatization and deregulation of the generation plants, and still Hydro One, and it's going to produce more pollution. The government talks about its commitment today to energy conservation and efficiency. They cut all the programs that the NDP put in when we were in power. No commitment there whatsoever. There should have been an announcement today of things they were going to do right away.

Furthermore, we are still waiting for clarification on when Nanticoke is going to be shut down. We've got two different ministers saying two different things. It produces more smog and air pollution in this province than any other industry or production and you're still not com-



mitting to closing it down. We need all of the five plants closed down, and we should be doing all of these things now, not waiting until there are more studies, more information.

This was an inadequate response to a very important report that was done by a select committee of this whole Legislature. I also will charge the government to not get caught up in saying that because I signed on to something, that means that I cannot try to raise the standards even higher here. I want to say to you that I will continue to do that and I will be focusing on this government taking a lead on the Kyoto accord and not waiting for the Liberals in Ottawa to come through.

1410

### SENIOR CITIZENS

**Ms Shelley Martel (Nickel Belt):** In response to the statement made by the minister for seniors, I want to say that I'm pleased on behalf of the NDP to acknowledge today, October 1, as International Day of Older Persons. We salute the 22 individuals who received awards yesterday, and we thank the thousands and thousands of other seniors who daily make important contributions to our communities.

With respect to the conference on elder abuse that the government wants to host this November, I wonder if the minister is actually prepared to deal with the most significant examples of elder abuse that are perpetrated by his government. Let me give you some of those examples.

This is a government that as of yet, today, still has not passed the regulations that would give effect to the Patient Restraints Minimization Act that was passed unanimously in this House in June 2001. That was an effort to make sure that elderly people were not restrained by the hospital because there wasn't enough staff. This government has yet to even pass the regulations to make sure that goes into effect.

This is a government that on July 1 cancelled the minimum standards for bathing for seniors in our long-term-care facilities, standards that used to set out daily and weekly baths. Now there's not even a mention of the word "bath" in the new regulation.

This is a government that delisted hearing aid evaluations and re-evaluations from OHIP, so that now seniors on fixed incomes have to pay for those evaluations themselves.

This is a government that because of its hydro privatization and deregulation scheme is forcing seniors to pay huge increases in their hydro bills right now. Our office has been flooded by seniors who don't know how they're going to cope with that.

This is a government that has allowed huge rent increases because of their scheme to decontrol rent. Again, seniors on a fixed income are worried about how they're going to pay. No wonder there's an increase of seniors at the food banks in this province.

This is a government that has frozen the budget for home care and made changes to home care policies that are directly forcing seniors into long-term-care facilities.

You want to deal with elder abuse? You should start dealing with some of your own policies that abuse elders.

### CHILD PROTECTION

**Hon Brenda Elliott (Minister of Community, Family and Children's Services):** On a point of order, Mr Speaker: I believe we have unanimous consent for all three parties to speak for up to five minutes on child abuse prevention month.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

**Hon Mrs Elliott:** The Ernie Eves government believes all of Ontario's children have the right to be protected from abuse and neglect. In a society that views child abuse and neglect as inexcusable, child protection stands as a key function to support the needs of children.

The first day of October marks the beginning of Child Abuse and Neglect Prevention Month. The Ministry of Community, Family and Children's Services places a high priority on protecting Ontario's children through a strong child welfare system. We care deeply about the well-being of our children and have made fundamental improvements to some key areas of child protection, including tough new amendments to the Child and Family Services Act that add neglect as a factor in determining if a child is in need of protection.

Since 1995 we've increased spending on child protection by 139%, to a budget now of over \$860 million in 2002-03. This includes hiring 1,700 more child protection workers, a 77% increase since 1995.

We remain committed to further skills development of those who work in child protection. We have boosted support to child protection workers by improving training through the Ontario child protection training program to assist them to help children. Over 6,000 workers and ministry staff have been trained in our tough new standards.

We have also provided children's aid societies with new technology, such as a database program that allows them to track high-risk families across Ontario.

Our commitment to children is demonstrated by the important reforms this government has made. We will continue to build on the progress we have made to better protect all.

While we have made many accomplishments in the past few years, we know there is more ahead of us. Ensuring the protection of children is an important task and we cannot do this work alone. It is important that we ask the people of Ontario to share this challenge with us. Ontarians know that if they have reasonable grounds to suspect a child is being neglected or abused, they should promptly report these concerns to the child welfare agency or the local community police force.

We value our ongoing partnerships with Ontario's children's aid societies. Over the past summer, I had the

opportunity to travel throughout the province and meet with some of these very special people, to visit a number of children's aid societies and take the opportunity to talk to the people who make it their number one responsibility to support vulnerable children, who are fostering more and more interest in foster homes and looking to help young children and those in need find homes in adoption.

Children's aid societies carry out crucial and stressful work. They are the front line in circumstances that, more often than not, are extremely painful for children. They see in their daily work more family upheaval than most professionals in the human service field.

As the Minister of Community, Family and Children's Services, I have great respect for the work they do and for the significant demands that are placed upon them both professionally and emotionally. On behalf of my colleagues on this side of the House, may I take this time to sincerely thank all who work for the protection of children in our province. Their role is vital and their commitment greatly appreciated.

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** On behalf of the Ontario Liberal Party and my leader, Dalton McGuinty, I take this opportunity to make some remarks around this, the 10th anniversary of Child Protection Month. It is with some sadness that we recognize that we have to stand in this Legislature and talk about the fact that we ask people during this month to wear a purple ribbon as a reminder that our most vulnerable, our most valuable resource in this province, are at risk, are in jeopardy. The wearing of this ribbon also should suggest to individuals that we all have a responsibility as members of society to do what we can to advocate, to ensure that we have laws that truly do protect our most vulnerable citizens: our children.

I say in this Legislature today that it does strike me as strange that in these very prosperous times, these times of great economic prosperity, the numbers of children who are taken into custody for their own safety have increased 70% since 1996. That's a very startling figure to me. I think there's a very clear message in those numbers that we have a responsibility to examine what the cost is of the increase in those numbers.

Like the minister, I do recognize the people who work so very hard in the child protection field. Certainly the burden they carry as they go to work every day is a difficult one, and their way is not easy. I speak with individuals who work in child protection on a regular basis and they share with me their sadness, the challenges they have and the ever-increasing demands in their workplace. I do congratulate them, compliment them, encourage them to continue their very good work on behalf of our children.

But we have much to do. I could not help but note that when the minister made her remarks, she talked about child protection. I think the people who are working in that field are doing all they can with the resources that the government is making available to them. But what I didn't hear in the remarks was suggestions on child abuse prevention, and that is what the month is dedicated to:

what can we do to prevent children from being abused? Very obviously, we have a responsibility, when children are abused, to take them out of that situation, to protect them, to make them safe. But we also have a responsibility as lawmakers to look at our laws to see what we can do to prevent children from being in these circumstances.

I did read an article not so very long ago that pointed out that in Ontario, when police officers come into a situation of domestic violence, for example, they have the power to remove an individual from that situation whether the individual wants to be removed or not. Perhaps that's something we need to consider, as a province, for our children. Whether the children say, "Yes, I have been struck by this caregiver," or not, that child should be removed if there is any question, any doubt as to the reason why a child might have an injury.

We have to invest in assisting parents to understand how to be good parents. We know in this province that it can regularly happen that children from abusive relationships will grow up to be abusers. That's what they know in their own experience.

We have a lot of work to do to establish across Ontario, in all our communities, more access to parents to understand appropriate parenting and anger management skills so that they understand it's not appropriate to strike their children and to punish their children in ways that impact their health and well-being.

It is my sincere hope, as I believe it would be for all members in this Legislature, that one day we won't have to stand in the month of October and talk about Child Abuse and Neglect Prevention Month.

1420

**Mr Tony Martin (Sault Ste Marie):** It's very sad that we stand here today to speak in honour of Child Abuse and Neglect Prevention Month. The fact that such a month needs to exist is devastating, but the sad reality is that it does indeed need to exist.

The old adage, "It takes a community to raise a child," is never more true than when it comes to the issue of child abuse. It is the responsibility of every member of society to ensure that our children grow and flourish in a safe environment, free from fear. It's an even greater responsibility for every one of us as members of this Legislature charged with leadership to build communities where children are nurtured. Sadly, we are doing a dismal job of standing up to this responsibility.

Since this Conservative government was elected, it has systematically gutted programs that protected our children by concentrating on prevention. Who most suffer from the 22% cut this government made to social assistance? Children. Who most suffer from this government's refusal to invest in affordable housing? Children. Who most suffer from cuts to regulated child care? Children. Who has suffered dramatically from this government's sweeping reforms to the Child and Family Services Act? Children. Over the last five years, the number of children taken into care by the children's aid society has increased by 40%.



Poverty is getting deeper and deeper in this province. This government continues to slash supports for poor families. Through downloading, it continues to force municipalities to cut programs designed to help families on the edge.

Sweeping reforms to the children's aid society have resulted in caseworkers spending 70% of their time filling out paperwork instead of working with families. Workers are in a horrible Catch-22. Though they want to spend more time helping children, they can't. If their paperwork isn't filled out, they lose the funding they need to help children.

There is a reason why workers are burning out and leaving the job at an alarming rate. They got into this line of work to help children. With caseloads as much as four times what they should be, helping children is something that has become exceedingly difficult for them to do.

I call on this government today to do more than offer worthless rhetoric when it comes to the prevention of abuse of children. I call on this government to stop its Bay Street agenda and get back to its real responsibility of building strong communities and investing in real programs that do more than just pull children out of their homes.

What children need are investments in programs that prevent abuse from ever happening in the first place. I challenge you today to begin with a very small but important first step: stop the clawback of the national child tax benefit supplement. Give our most vulnerable children the money their families need to feed themselves so that they can focus on building a brighter future.

**Mr Peter Kormos (Niagara Centre):** On Sunday night I was at the Queen Street Baptist Church down in St Catharines, where the Niagara community male chorus was putting on a concert. Why? To raise funds for the family of young Sarah Toner, a four-year-old, beautiful, bright child with her bright eyes, but a child, like so many others, with autism whom this government has abandoned and ignored.

The Toner family, hard-working working people who can ill afford the tens of thousands of dollars to provide adequate treatment and therapy for their little four-year-old Sarah, have to rely upon the charity and goodwill of their church community, family, friends and neighbours.

This government wants to talk about getting tough on child abuse? Well, by God, then this government should, here and now, declare its commitment to full funding of treatment and therapies for the best possible autism responses that we know are available. You should stop forcing working families into a scenario where they're putting second and third mortgages on their houses and where they're entering a world of economic despair. Because they care about their kids and they love their children, those communities and those families are prepared to sacrifice for their children, but this government has abandoned them and those kids.

## ORAL QUESTIONS

### MFP FINANCIAL SERVICES

**Mr Dwight Duncan (Windsor-St Clair):** I have a question for the Chair of the Management Board of Cabinet. Since the Harris-Eves government came to office in Ontario, taxpayers in the province have paid out more than \$425 million to MFP Financial and MFP Technologies. These payments are part of long-term leasing computer contracts which appear to be very similar to those contracts in Toronto and Windsor that go out 20 to 30 years into the future at a potential cost of billions of dollars.

Minister, the public inquiry into the city of Toronto's dealing with MFP Financial was halted yesterday on news that a criminal investigation is now underway. Given these facts, will you release your government's contracts with MFP to this House today?

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet, Minister of Culture):** Of course, as we well know, the city of Toronto is under investigation so I can't comment on that, but it does give me an opportunity to tell a very positive story here.

We've acted on the recommendations of the Provincial Auditor, who came out with recommendations in the 2000 annual report that we undertake a new competitive process for lease financing agreements. This process was completed in February 2002.

The government has taken action to ensure consistency in leasing practices and asset management. It's kind of a boring answer but it's technical.

#### *Interjections.*

**Hon Mr Tsubouchi:** If the member over there would like to listen, all the vendors have signed the Management Board Secretariat master contract, which replaces all existing contracts. In addition to all this, Management Board will continue to work with the ministries to ensure that we keep on reviewing these things through regular training sessions for our staff, but also through random audits of specific leases and regular means to review vendors' reports and ministry management.

**Mr John Gerretsen (Kingston and the Islands):** What are you hiding?

**Hon Mr Tsubouchi:** Hiding? We've had the report from the auditor. We've acted on the report of the auditor. I believe that's the right thing to do.

**Mr Duncan:** Minister, you did not answer my question. We have asked you to release the MFP contracts on repeated occasions. When my colleague from Essex, Mr Crozier, filed a freedom of information request, you refused to release them, blaming the company's desire to keep them secret. The company has filed a third party objection. When Mr Crozier attempted to get an independent audit, your members, the Tory members of the public accounts committee, used their motion to defeat our motion.

Minister, all of our attempts to bring some light on your government's dealings with MFP have been met with stonewalling by you and that company. Given the very serious allegations that have surfaced in Windsor, Toronto and Waterloo, will you release those contracts? If you're proud of these contracts with MFP, why do you refuse to make them public and subject to scrutiny? What are you hiding?

**Hon Mr Tsubouchi:** Clearly the answer is we're hiding nothing. In fact, once again this becomes a good-news story as a result of the auditor's recommendations. In a letter to the clerk of the standing committee on public accounts—and this predates the time we actually implemented all this. It's dated September 25, 2001, and is dealing with the auditor's report and recommendations on movable assets. By the way, this was copied to Mr Gerretsen, who at the time was the Chair of the standing committee on public accounts. So clearly he understands that this is an issue about procurement.

The competitive process, as established through Management Board, indicates:

"All mandatory and desirable requirements that will apply to the evaluation of proposed equipment products/services; and

"The evaluation process and criteria that will be used to assess proposed hardware products, including the weights allocated to various desirable requirements and any testing that will be conducted."

This just brings up a number of factors that we've brought into the competitive process to ensure it's fair, open and accountable to government. These are steps that we've taken and certainly a recommendation by the auditor, which I believe brings the procurement process to the highest level it has ever been in government.

1430

**Mr Duncan:** The auditor's recommendations have nothing to do with the contracts you have signed. Those contracts are signed and outstanding. According to your own estimates, in the last year you paid \$88,714,838 to MFP through various ministries including, I might add, the Solicitor General's ministry, the OPP, who are now investigating these contracts.

Toronto and Windsor appear to have contracts that in both cases, on the face of it, seem very similar to the contracts that the province has signed with MFP. In the city of Windsor's case, there are civil actions undertaken in order to recover what they believe will be the excessive interest charges that were hidden in those contracts.

Minister, table those contracts today. Let us see them. Let the police have them. We in the official opposition call on you to refer those contracts to the Ontario Provincial Police today. Will you do it, so that these contracts can be taken into consideration with the other investigation going on involving the city of Toronto right now?

**Hon Mr Tsubouchi:** That's just a complete load of you-know-what.

First of all, this is all about procurement. It's all about having the right process. That's absolutely what this is all about. It's the fact that we're taking steps to do this.

I'm going to point out to the Liberals over there, who are right now carping at me, that if we refer once again to the Provincial Auditor's report of 1989—they don't like the Provincial Auditor; I'm going to refer to him—he referred to the government at the time by saying, "For the most part, ministries were following government policies and procedures for purchasing consulting services. However, instances were noted where ministries went through the motions of competitively tendering for assignments, but the process was really not open or fair to all bidders."

We go on to talk about the specific contracts, the auditor's report on page 20 that said, "12 of the 13 contracts were awarded to consultants who had worked for the ministry continuously since at least 1986 as programmers and systems analysts. Given the situation, one must question the competitiveness of the tendering process."

It's all about accountability. That's what this is all about.

*Interjections.*

**The Speaker (Hon Gary Carr):** Order.

## SCHOOL CLOSURES

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** My question is for the Minister of Education.

After a very long, painful and tear-stained trek—I'm referring of course to the two-year ministry-mandated school closure procedure, to be precise—the parents of students at Lynden, Sheffield and Dundana community-based rural schools were informed by the Hamilton-Wentworth District School Board that their schools would remain open. Last week, however, your interim board supervisor, Jim Murray, informed them that their schools would be closed. In fact, Mr Murray suggested privately that the closures might not even wait until the end of the school year but take place mid-term.

We have now been put into education purgatory. Parents don't care whose fault it is any more. They just want your government do to what's right. Despite the school board's clear recommendation to keep these rural schools open, you refuse to listen to these community-elected trustees.

Last week in the House, Madam Minister, you responded to a question by saying, "The decision to build new schools and close other schools remained the prerogative of the local school boards." Minister, will you stand in your place today and guarantee my constituents that you will accept the recommendations of the school board and not close these—

**The Speaker (Hon Gary Carr):** Order. The member's time is well over a minute.

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I will repeat what I said last week: the decisions regarding school accommodation, the decision about which schools are going to close and which new schools are going to be built to accommodate growth in different parts of a school board catchment area, are decisions that will be made by school trustees. The role



of the supervisor, however, is to develop a plan that will allow for those boards to balance their budgets.

**Mr Dominic Agostino (Hamilton East):** I find it interesting that the minister sits here and says the decision is to be made by school trustees. Minister, you have stripped those trustees of any power. You and Ernie Eves are now running the school board in Hamilton through your hand-picked supervisor. It's clear. Forget the school board in this equation.

*Applause.*

**Mr Agostino:** Your backbenchers are applauding that.

The supervisor you hand-picked first said school closures are off the table. He's now had a change of heart. There are two schools in my riding, Parkview and Lloyd George, that went through a two-year process. It was clearly determined by the board that they would not be closed. Now your hand-picked supervisor has put them on his hit list.

Minister, there's no escaping this. It is your decision. You're now allowing the supervisor to break the Education Act by not following the process you put in place for school closures. Minister, you're not going to get away with this. You can run but you can't hide. Any school closed in Hamilton is your responsibility, is Ernie Eves's responsibility.

I ask you, will you now allow your hand-picked supervisor to break the Education Act unilaterally, on his own decide to close schools in Hamilton by breaking the law you put in place and trying to hide behind the fact that it's trustees? Will you allow the supervisor this power to break the Education Act and close schools in Hamilton?

**Hon Mrs Witmer:** Mr Speaker, I mean, really. Some of what's being said is rather unfortunate in that it—

*Interjection.*

**The Speaker:** The member for Hamilton East, come to order. You've asked the question, and the minister is trying to reply. Order. Sorry to the minister. The Minister of Education has the floor.

**Hon Mrs Witmer:** I recognize that perhaps the member has a close affiliation with someone who may be involved with the school board, but I think it's really, really important for us to get the facts right. The facts are as follows: the supervisor had meetings and is having meetings with parents and staff and trustees in the community, and he has not made any decisions whatsoever. So what you're saying today is simply fearmongering. I would suggest you stop until any decisions may or may not be made.

**The Speaker:** Final supplementary.

**Mrs Marie Bountrogianni (Hamilton Mountain):** Minister, it is unconscionable that you would attribute my colleague's question to an affiliation within his riding. That's distracting of the question.

This government may have forgotten, but Hamilton taxpayers certainly haven't. Your supervisor is the same person you hired to make the cutbacks to Hamilton's CCAC. Your government was so pleased with Mr Murray's work in cutting home care services for seniors

and the disabled that you invited him back to do the same for our students. As anyone conducting a job interview would tell you, future behaviour is predicted by past behaviour. Given that Mr Murray weighted your government's objectives over and above the needs of my community, can Hamilton students expect a similar fate? Minister, you made a promise to parents and students in Hamilton that not one single school will close this year. Now your hand-picked supervisor may be breaking that promise. Why should parents and students trust anything you say?

**Hon Mrs Witmer:** We have here a situation where the opposition is jumping to conclusions prematurely. There have been no decisions made. I suggest that you keep in mind that at the end of the day it is the school board that is going to be making any final decisions.

#### HYDRO DAM SAFETY

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Deputy Premier. This past summer, Cindy Cadieux and her seven-year-old son were killed by a torrent of high water released at the Barrett Chute generating station on the Madawaska River. Last weekend the Ottawa Citizen revealed disturbing facts about those deaths. The Ottawa Citizen says that hydro deregulation has changed Ontario Power Generation's operating procedures such that considerations of public safety have been sacrificed. The Ottawa Citizen says a new computer system designed to react immediately to price and demand changes of the deregulated hydro market, a process called rubber stamping, resulted in a torrential water flow from the Barrett Chute generating station that killed Cindy Cadieux and her son Aaron, without any warning whatsoever to them.

Minister, is the Ottawa Citizen right?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I will refer the question to the Minister of Energy.

**Hon John R. Baird (Minister of Energy, minister responsible for francophone affairs):** This is an incredibly important issue. There was a real tragedy that occurred this past spring involving the loss of life of a young woman and her young son. Our sympathies go out to the families involved. It was a tragedy.

There is an investigation, properly so, being conducted by the relevant authorities. I don't think it would be advisable or appropriate for a member of the government to get up and comment on the case while such an investigation is ongoing. I want to see justice done. I want to see a proper investigation conducted and completed, and for that reason it would be inappropriate to further discuss the issue.

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**Mr Hampton:** I appreciate there is a police investigation now, but the Ottawa Citizen is merely alleging a couple of factual issues. One, they're alleging that a new computer system was installed and that this new computer system results in a process called rubber stamping,

where an electronic signal is sent from Etobicoke and can result in the opening of a hydro dam with torrents of water being sent down, and someone on site cannot overrule that signal. Someone on site cannot overrule, for example, in the interests of public health and safety if there should be boaters below the hydro dam or swimmers below the hydro dam or someone else.

Minister, has Ontario Power Generation been ordered to end the process called rubber stamping? Can you tell us that?

**Hon Mr Baird:** On June 27 my predecessor announced and shared with this House a copy of a letter he had received from Ron Osborne, the president of Ontario Power Generation, in which he outlined the steps the company was taking to increase public safety at that generating station and at all generating stations across the province, particularly those that are used on the Madawaska River.

In addition, Ontario Power Generation is reviewing public safety more generally at all its plants to ensure public safety is protected.

**Mr Hampton:** The specific question was, have you ended this process that is called rubber stamping? We know from examples around Sault Ste Marie that under the now deregulated power market, generating stations think nothing of literally emptying a lake if it means generating more power and more profit. So I'm asking that specific question: has your government ordered Ontario Power Generation and private hydro generators to end this process of rubber stamping? Because there doesn't seem to be any room in this process to protect public safety. Have you ended or ordered the end of the process called rubber stamping? Have you required all hydro dams to sound sirens or loud horns before they increase torrential water flows? Two simple questions—have you done either of them?

**Hon Mr Baird:** Yes, we have.

#### DOMESTIC VIOLENCE

**Mr Howard Hampton (Kenora-Rainy River):** My second question is for the Deputy Premier. Domestic violence is a very serious security problem in Ontario today, yet your government seems to have done very little. For example, in the year 2001 the number of women who were killed as a result of domestic violence was 25% higher than in 2000.

Meanwhile we know that you have been sitting on the results of a pioneering safety audit done in Windsor that could have saved lives across Ontario. This safety audit brought together police and front-line workers to identify where women were falling through the cracks and where their safety was at risk. Communities across the province are clamouring for an audit of their own. They are anxious to make changes that will protect women and their children. Will you release the Windsor safety audit? Why haven't you released it already?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I am going to refer that to the Attorney General.

**Hon David Young (Attorney General, minister responsible for native affairs):** I appreciate the member opposite raising this very important issue. Let me commence by saying that our thoughts and prayers are with the families of those who have been affected by these terrible tragedies.

Certainly when I saw the statistics, the figures that came out, I paused to think about the fact that each and every one of those individuals left people who miss them each and every day. These tragedies indeed strengthen our resolve to do more. We must do more to help victims of domestic violence and to ensure that this cycle of violence ends.

We as a government have done a great deal to date. We appreciate there is more to be done and we give you our commitment that we will continue to do so. Indeed, we have introduced programs, including the domestic violence courts that are being spread across this province, we have expanded the shelter beds that are available, we have 57 victim/witness assistance programs in place and we are committed to do even more.

**The Speaker (Hon Gary Carr):** Supplementary.

**Ms Marilyn Churley (Toronto-Danforth):** Your thoughts and prayers are very much appreciated but they don't save lives. You've shelved the blueprint for action provided by two inquests, Minister. Instead of acting, you review fatalities. Counting bodies after the fact will not save these women's lives. In one year, 25% more women were killed by their spouses or ex-spouses. Communities across the province want to do safety audits to prevent more women from dying. That's what this is all about. It is really a matter of life and death.

I'm going to ask you again the question my leader asked you—very simple, very clear: will you announce that every community across this province that is prepared to do a safety audit can get to work so that more women don't have to die needlessly?

**Hon Mr Young:** At the commencement of the member's supplementary question she referenced the fact that there have been two inquests of late, the May-Iles inquest and the Hadley inquest. We have a special appreciation of the work that was done by the members of the juries at those two coroner's inquests and indeed we have implemented many of the recommendations that have come forward from each.

In the case of the May-Iles inquest, we are proud to say this government has implemented or is in the process of implementing in excess of 90% of the recommendations from that inquest. It includes the province-wide expansion of domestic violence courts and victim/witness assistance programs. There are 56 new crown attorneys and there are new programs in place to train crown attorneys. There is a new domestic violence police response model that we are very proud of, and as I indicated before, we are committed to doing even more.



## SLOT MACHINES

**Mr Monte Kwinter (York Centre):** My question is for the Attorney General. Mr Minister, yesterday I pointed out that Dresden, Clinton and Hanover, the smallest standardbred tracks in Ontario, have been allocated 100 machines each and they are all many times greater in size and economic activity than Picov Downs.

I also asked you if you could assure us that allocation of slot machines to Picov Downs will be based on the same criteria as other tracks in Ontario and that the process will not be perverted by political influence or campaign contributions. You replied with an unequivocal yes. That's all you said, "Yes," and you sat down. Given your response, will you end this charade and announce here and now that Picov Downs will be allocated no more than 100 slot machines?

**Hon David Young (Attorney General, minister responsible for native affairs):** What I am prepared to say is what I have said consistently, that Picov Downs will go through the same impartial, independent process as all the other tracks. Right now, the Picov application is in front of the Ontario Racing Commission. They will make a decision about the number of race days that are appropriate. I'm not to interfere in that, nor will I interfere in the decision and the process that will follow from the Ontario lottery and gaming commission, another independent, impartial process.

1450

Sir, you stood in this House last week and said one and a half slots was the right number. Today you're saying it's a hundred slots. The horse racing association has come forward and said 200 slots. I say with respect, this isn't the way to decide this very important issue. What we will do is allow for the same impartial process to take place, and in due course an appropriate decision will be made.

**Mr Kwinter:** Mr Minister, just so there's no misunderstanding, Picov Downs does \$280,000 in betting in one year. At Woodbine track they do that in one race. The point I'm making is this: you're right, they are entitled by their volume to one and a half slot machines. Notwithstanding that, there are three very small tracks in Ontario that get a hundred.

All I'm saying is, let's give them the benefit of the doubt. They're not entitled to it, but let's have a level playing field. There are none that have less than a hundred. Give that to them. Why can't you make that decision? Because if you don't, you are then saying to yourself—yesterday you said you would have a level playing field, that you would not pervert the process. Now it leaves the question that you haven't quite decided, and it raises the other question: do political contributions influence what your decision is going to be?

**Hon Mr Young:** This government has taken a responsible approach to gaming from day one, and we will continue to do so, sir. We are still in the early stages of this process. To do what you have suggested, to insert a number that you think is accurate today as opposed to the

one you thought was accurate last week or the one you may think is accurate and appropriate next week, would be wrong. That would be political influence. We're not going to engage in that sort of activity. What we are going to do is allow for Picov Downs to go through the same impartial, independent process as all the other tracks; 16 of 18 have already gone through it. The result of that is that there are in excess of 3,000 new jobs in this province and \$2 billion coming in annually, going to communities and hospitals in your riding and in Windsor and in Sarnia and throughout this province.

## RESEARCH AND DEVELOPMENT

**Ms Marilyn Mushinski (Scarborough Centre):** My question is for the Associate Minister of Enterprise, Opportunity and Innovation. We all know that Ontario is home to many world-class researchers. In fact, Ontario's universities, colleges, hospitals and many private companies have become world leaders in the research and development of new technologies. That being said, we know it's vitally important that our researchers possess the state-of-the-art equipment and facilities required to undertake their research. I'm wondering if you can tell this House what the Ontario government is doing to ensure that our researchers remain the leaders that they are in our increasingly competitive global economy.

**Hon David Turnbull (Associate Minister of Enterprise, Opportunity and Innovation):** First of all, I'd like to thank the member for Scarborough Centre for this excellent question. Our government offers a variety of programs to stimulate scientific and technological innovation in Ontario. With more than \$1 billion in endowment, the province, through the Ontario Innovation Trust, supports capital costs of research for universities, community colleges, hospitals and research institutions. It's designed to complement the work of the Ontario research and development challenge fund, with primary support for human resources and operational requirements of research.

Just last week, I was in Ottawa to present the University of Ottawa with \$40.7 million to invest in supporting 41 research initiatives at that university. That figure is levered to more than \$119.8 million, with additional funding from the private sector, other research institutions and the federal government.

**Ms Mushinski:** Thank you for that response, Minister—interesting information. My concern is that we've seen, I guess since September 11, a huge global slowdown in the high-tech area that affects companies not only worldwide, but some major companies right here in our own backyard in Ontario. You've mentioned the Ontario Innovation Trust and Ontario research and development challenge fund announcements, but I'm wondering what else you've done to support research and development in Ontario in an attempt to help these high-tech companies recover.

**Hon Mr Turnbull:** We've announced a whole series of major investments, in our strategy to drive Ontario's

economic growth through innovation. In June the Premier's first Platinum Medal for Research Excellence was awarded to two Ontario researchers for their outstanding work. These \$1-million platinum awards celebrate the tremendous accomplishments of Ontario researchers. They also highlight our government's commitment to quickly make Ontario a worldwide centre of research excellence.

The Premier also announced the new \$51-million biotechnology strategy, and in our budget we allocated a \$161-million renewal for the Ontario centres of excellence, which play a critical role in moving innovations from the lab to the marketplace.

### HYDRO RATES

**Mr Michael Bryant (St Paul's):** My question is for the Minister of Energy. The Premier and the parliamentary assistant to the energy minister have as of late been lauding the panacea of a rebate that we know is supposed to be coming, according to the Ontario Energy Board, in August. We've now learned that you have gone to the Ontario Energy Board to have that consumer rebate slashed by some 20%. That's \$200 million rightfully owed to consumers. That's not your money to play with. Even worse, you're doing it to bail out your own incompetence in running the electricity marketplace.

We say over here that every Ontarian deserves this rebate now. What we want to know is, will you end this betrayal of ratepayers and stop this effort to slash the rebate now?

**Hon John R. Baird (Minister of Energy, minister responsible for francophone affairs):** The member opposite raises a number of issues in his question. The rebate is based on Ontario Power Generation's market share. That's the way it was designed. There is no change in that whatsoever. It's an average annual generation price on 105 terawatt hours.

Let me explain "average annual" to the member opposite. "Annual": one year; 12 months. If the power is above or below, it will create an average. You kind of need 12 months to have an annual average, and that's going to be moved forward. That's appropriate, and on 105 terawatt hours. What was discussed is exactly what's going forward.

**Mr Bryant:** This is from the Electricity Distributors Association. It says, "Ontario Power Generation (OPG)"—that's you—"has applied to the Ontario Energy Board for a ruling to cut consumer rebates by approximately 20%." OK? Average, smaverage. That's 200 million bucks that is owed to consumers and you're trying to take it away from them. It's disgusting. Now you're trying to blame it on the fact that, oh, it's Ontario Power Generation. You're the boss of Ontario Power Generation.

Will you pick up the phone and order Ontario Power Generation to end this disgusting effort to deprive ratepayers of the rebate they deserve? These people can't wait until August. These people can't wait until January.

These people on fixed incomes, these businesses, cannot survive with the current hydro rates. They need their rebate now. Will you end this disgusting effort and will you join us in fighting to roll out the rebate now?

1500

**Hon Mr Baird:** I sometimes wonder how the member opposite has time to get any work done. He must spend at least two or three hours a day practising that question in front of the mirror.

The rebate is contained in Ontario Power Generation's licence. It's contained right in their four-year licence from the Ontario Energy Board. It's based on their market share. It will be rebated if it's more than 3.8—

*Interjections.*

**The Speaker (Hon Gary Carr):** Come to order.

**Mrs Sandra Pupatello (Windsor West):** He's got that extra curl here today.

*Interjections.*

**The Speaker:** The Minister of Energy may continue.

**Hon Mr Baird:** I say to the member for Windsor West, go after my policies but don't go after my hair.

### EMERGENCY RESPONSE TEAMS

**Mr John O'Toole (Durham):** My question is to the number one Minister of Public Safety and Security in Ontario. Minister, you announced \$1 million to establish volunteer emergency response teams in Ontario. As the minister is no doubt aware, a number of the teams already exist in the province. One of these is in Durham region, with many of its volunteers from my own riding of Durham.

The Ontario Volunteer Emergency Response Team, also known as OVERT, has up to 100 people who can be deployed on short notice in emergencies such as, for example, locating a lost child. This self-supported group was formed, as you might know, 11 years ago. I have written to you on this group. Shane Harbison is the operations coordinator.

Minister, can you update the House on the progress being made toward supporting Ontario's emergency response volunteers such as the men and women members of OVERT in my riding?

**Hon Robert W. Runciman (Minister of Public Safety and Security):** I want to thank the outstanding member for Durham for the question. As he is aware, our government applauds the efforts of those who work toward enhancing public safety. It's my understanding that the OVERT team, with members in his riding, is composed of a diverse group from within the community, some of whom serve in the emergency services field.

The OVERT agency has capitalized on the commitment and professionalism of these volunteers to provide effective services to the community in times of need. The agency is a registered charity and is supported by a number of persons, many from the Durham region. It's our hope that organizations such as OVERT will provide an experienced base for our CERV program so that neigh-



bourhoods across the province can benefit from enhancing community safety the way Durham has.

**Mr O'Toole:** I'm sure the volunteers are encouraged by your comments here today.

Minister, after citizens recovered from the shock of the tragedy of September 11, one of the most immediate responses was to ask how they could help. I believe this occurs in most communities in Ontario when emergencies or natural disasters occur.

Volunteers, as you know, are one of the most important community resources we have. They can't replace the full-time professionals, but certainly they have to be ready for natural disasters and other emergencies. It's important that we have enough people trained and available who are able to respond immediately. Members of these volunteer groups are tireless and they are also often retired emergency response professionals themselves. Minister, can you explain the expanded role of these volunteers in preserving Ontario's public safety and security?

**Hon Mr Runciman:** The role I see the CERV teams playing is that of a complementary capacity, enhancing and providing support to the services already provided by the many dedicated firefighters, police officers, paramedics and other emergency service workers in the province.

When we were developing CERV, we drew upon the experiences of organizations such as the Red Cross and the Salvation Army to help us.

Volunteer emergency response teams will be made up of people who are not only eager to assist, but who are trained to do so. Emergency Measures Ontario will be working with local municipalities to offer training sessions within their jurisdictions. All residents of Ontario will be encouraged to join the CERV program. Ontario's retirees, especially those who have experience in the emergency services area, will be targeted for recruitment due to their first-hand expertise and leadership qualities.

We are committed to a partnership with the municipalities of Ontario and will offset up to 100% of the cost of this program in its first year and up to 50% of the cost in subsequent years.

#### ACADEMIC TESTING

**Mr Rosario Marchese (Trinity-Spadina):** A question to the Minister of Education: Minister, it's time to admit that your marriage to high-stakes testing is a failure. You refuse to answer what a pass or fail grade is for the grade 10 literacy testing. In my mind, you have an accountability and credibility problem, but worse, you're denying 32,000 students a high school diploma based on a test you admit is subjective and you won't give them a second chance. Oh, they can take a test again in three weeks, but you know they won't get any remediation in the next three weeks.

Your testing scheme is a political boondoggle. Your test is a problem at best and a failure at worst. Will you scrap the results of the grade 10 literacy test?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I'm extremely disappointed at the words of the member of the third party. His words, speaking about the achievement of the students on the literacy test, are a disservice to the students and teachers who have worked so hard to improve the results this year. In fact, as we well know, 87% of the academic stream students who wrote the test passed, an increase of 6% over the year before. If we continue to take a look, all of the results have improved.

I've been visiting schools and I have to tell you that these young people and their teachers are doing everything they can to improve the basic level of literacy. We have invested \$25 million in order to help them with remediation. Furthermore, students who did not succeed were informed in June and many of the boards in Ontario provided remediation over the course of the summer. I can assure the member—

**The Speaker (Hon Gary Carr):** I'm afraid the minister's time is up. Supplementary.

**Mr Marchese:** My disappointment with you, Minister, is you never answer questions. One high-stakes test based on—

*Interjections.*

**Mr Marchese:** Quiet down—secret, subjective standards should not determine the future of 32,000 students—should not. You know where the students who need help are. You have school profiles that tell you that, but yet you do nothing. You should give them the help they need.

I've got a couple of suggestions for you. You should allow boards to create some programs that will help them. In my mind—you could do this immediately—you could create school teams of local school teachers who are remediation experts to do that.

My question to you is, will you help them now, Minister?

**Hon Mrs Witmer:** I guess the reason the member didn't think I responded the first time is because I've already responded to this question.

The reality is, we want all students to achieve success on the literacy test. This is what parents and employers have asked us to do, to support these students in order that they will all have the basic literacy.

But I want to tell you about what's happening out in Ontario. For example, Mr O'Connor, the director of education for the Limestone board says in the paper today, based on the results in 2000—and of course this is the first time we had any indication of how our students were doing—he said, "We knew we needed to find ways to improve the results."

"The board hired literacy coordinators and Queen's University students to help tutor students. The board also ran summer literacy camps to improve reading and writing."

O'Connor said, "We didn't come up with excuses. We made sure that all the schools that needed help got help." That's where our money went, to the schools to help the students.

1510

## BIRTH CERTIFICATES

**Mr Bruce Crozier (Essex):** My question is for the Minister of Consumer and Business Services. The Information and Privacy Commissioner confirmed that upwards of 60 completed birth certificate applications were among the documents stolen from the Brampton land registry office. The theft of these confidential files represents a massive security and privacy breach. These forms contain a gold mine of private information that couldn't easily be found anywhere else. With the stolen information, a criminal could obtain a credit card under an assumed name. A more imaginative and bolder criminal could do far more—perhaps a duplicate birth certificate or maybe even a passport.

You waited several weeks to inform the privacy commissioner about the theft. You waited several weeks to inform the victims themselves that their privacy had been violated. Why, Minister, did it take you weeks to figure out that the private information had been stolen? How is it that you didn't know that these very sensitive forms had disappeared right from under your nose?

**Hon Tim Hudak (Minister of Consumer and Business Services):** As I've said on many occasions, I am greatly concerned about the security breach that has taken place in one of our land registry offices. Obviously the personal information of individuals should be held in the highest level of security. That's why we've brought improvements to the birth certificate application process. We made it more difficult to get a birth certificate. We improved, as well, restrictions like guarantors, shared secrets etc.

It is a great concern to me that despite these improvements, something happened and we did lose some documents. We've worked very closely with police forces to ascertain who was behind that. If there are other individuals involved, we're going to go after those people as well and make sure that no further breaches of this kind occur in the future. It's a serious concern to this government. We're going to make sure that we shut that down and catch those who are responsible.

**Mr Crozier:** But, Minister, you didn't answer the question about the delay. How can you continue to provide assurances when a colossal security breach like this has taken place?

Fact: you did not inform the privacy commissioner immediately. Fact: you did not inform the victims immediately. Fact: you irresponsibly waited. While you reported the theft of these private confidential documents to Peel regional police on June 12, it wasn't until some time in July that you notified the Information and Privacy Commissioner and the victims themselves. However, you falsely told the Information and Privacy Commissioner that you reported it as soon as you learned of the problem. That's simply not true.

Minister, why did you delay informing the Information and Privacy Commissioner? Why did you delay

in informing the victims that their personal information had been compromised? Why did you not tell the privacy commissioner immediately?

**Hon Mr Hudak:** Again, as soon as our staff was alerted about any missing documents, action was taken, contacting the police right away and working very closely with the police to make sure that we sealed any security breaches. We contacted each of the individuals whose privacy was at risk to alert them to any concerns that may be there. We flagged their personal information as well to make sure there were no transgressions.

As I've said, we've worked hand in hand with the local police force, as well as the OPP, to ensure we bring those individuals who are behind the security breach to justice. The reforms we've made have been very helpful to make sure that no more security breaches can happen in the future. We're working hand in hand with the police and we'll make sure those responsible are brought to justice and made to pay a price for that kind of transgression.

## CITY OF TORONTO

**Mr Steve Gilchrist (Scarborough East):** My question is for the Minister of Finance. Minister, as you well know, we can hardly pick up a newspaper in this city without seeing the ongoing litany of woe, the hand-wringing from the city of Toronto about how they need more and more help. We never hear about the multi-hundred-million dollars in increased revenue they have obtained from their property taxes that have escalated in the last few years. It was interesting to see that the federal government just yesterday has bought into this whole mantra and has promised—they're Liberal promises so they'll never come to pass—to help out cities.

They've said that we're not doing enough here at Queen's Park. I'd like you to address the criticism that the province of Ontario has missed its obligation somehow to the city of Toronto and tell this House exactly what we're doing to help Canada's largest city.

**Hon Janet Ecker (Minister of Finance):** I'd like to thank the member for Scarborough East for his excellent question. As members of the House may know, through the Premier and through my colleague the Minister of Municipal Affairs we have been investing over \$1 billion over five years through SuperBuild, in strategic municipal infrastructure such as bridges, water, sewer projects and recreational facilities. That is a commitment we've made to municipalities, and Toronto is part of that.

Secondly, my colleague the Minister of Municipal Affairs and myself have been consulting with our parliamentary assistants and the municipalities to develop opportunity bonds and tax-free incentive zones, to help the municipalities with their funding needs.

Again I think these are important programs that are going to bring very important investments to all our communities. We will continue to work with Toronto to promote ongoing growth and prosperity here in this city



as well, because it is indeed an important economic driver of our province.

**Mr Gilchrist:** Thank you, Minister, for that response, but as we move forward, whether it's the bill we're debating this afternoon on the waterfront regeneration process, the city continues to ask for more money for culture projects and for infrastructure. I know we've done a lot and I appreciate the comments you've made, but how do we respond to criticism that there's more to be done? What precisely are we, looking down the road—the programs we've put in place now that will continue to build on what we've done for the city in the years to come?

**Hon Mrs Ecker:** One of the important facts I should share with the House is that Moody's Investor's Service, which is one of the international bond rating agencies, has actually increased Toronto's debt rating. The reason they did that was because of the increased provincial presence in funding municipal infrastructure projects. They have recognized and seen the fact that we have been supporting Toronto, through \$500 million for the development of the Toronto waterfront, a very important project, over \$64 million for Toronto this year under the Ontario transit renewal program, savings of more than \$50 million for the city as a result of the province's funding for Go Transit.

These are important supports for Toronto. Through the Ontario Municipal Economic Infrastructure Financing Authority we are prepared to continue to help Toronto and other municipalities across the province to have the kind of growth and prosperity their citizens deserve.

#### SPECIAL EDUCATION

**Mr Gerard Kennedy (Parkdale-High Park):** I have a question for the Minister of Education. I want to ask you about the promise you made, the promise Premier Eves made, that when you sent in a supervisor to do your bidding in Ottawa, you wouldn't be harming kids' education. Well, I want to send across to you, from Jamie Mookerjea, a picture of her son Jevon. I want you to look at Jevon because Jevon is one of hundreds of kids who now know you've broken that promise. Jevon has oral-motor problems and apraxia and needs speech therapy, which he was registered to get in the Head Start program two times a week until your supervisor cancelled that program to get the money you wanted to take away from students like Jevon. His mother is here to get your response, to have you take responsibility for taking a program that her son badly needs away from him. Minister, will you explain to her today why you cut that program?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** First of all, I need to put right up front that I understand there is a court proceeding that has commenced in the Ottawa-Carlton DSB, so obviously I can't comment on any other cases. However, having said that, we would be happy to meet with the mother and with the child because our government, of course, if you

will recall, was the one that introduced special-education legislation to make sure all students had access. We are providing a considerable amount of money and we will continue to address the needs of those students.

**Mr Kennedy:** I hope in your supplemental, Minister, there's a chance to get past that rhetoric. There is a parent who's not in court, whose son is not in class, who doesn't get help, who has trouble speaking, the most fundamental thing to be able to derive benefit from in the education system.

Your Premier said, "It is my understanding that no student who receives and qualifies for special education will be denied those services." Jevon is being denied those services. You're the Minister of Education. We on this side of the House would like to know what you will be doing for Jevon. There is no court restriction. We want to know, Minister, today: will you pledge to put the money back to restore the Head Start program so 31 other kids and the hundreds of other kids who lost out because of 25 cancelled teaching positions will get their help back? Minister, you have a chance to respond right now.

**Hon Mrs Witmer:** I'm not prepared to politicize this situation. I said in my very first response that I was happy to meet with the mother and the child. We take this issue very, very seriously, and we are quite prepared to have a meeting.

1520

#### FOOD SAFETY

**Mr Bert Johnson (Perth-Middlesex):** My question is for the Minister of Agriculture and Food. Minister, a lot of us grew up on a diet of beef, pork, chicken and potatoes grown on our farms and in our own gardens, and now a lot of foods are exotic and may come from thousands of miles away, from places where we don't know the people who produced them. I think of honey, I think of cranberries, I think of apple butter—it mostly comes from Wellesley—and maple syrup that comes from Quebec and Ontario.

Farmers in my riding of Perth-Middlesex have earned a well-deserved reputation for producing safe, high-quality food for consumers. Everyone agrees that we must continue working hard to maintain our record of achievement. I understand that over the summer our government introduced a new food labelling initiative to provide consumers with more accurate information related to the foods they purchase.

Minister, could you provide the Legislature with some information regarding the ticketing program?

**Hon Helen Johns (Minister of Agriculture and Food):** I'd like to thank the hard-working member from Perth-Middlesex for raising the question. He has a large agricultural contingency in his riding and of course this is a big concern to him.

I think it's a big concern to everyone in the province that we ensure that we have a policy that ensures that we have safe food in the province of Ontario. We have a

sterling and strong record with respect to safe food and we need to maintain this record. So we want to ensure that we have quality in food when we talk about the products we produce and process in the province, and that includes fruit, tomatoes, cucumbers, apples, maple syrup and honey.

We need to ensure that when we go into the grocery store, we understand that we're buying products that are made in Ontario, that we're buying quality products. In fact, we have to ensure that when we talk about made-in-Ontario products, we are very careful to ensure that we keep that safe quality aspect about that. And so we have an excellent reputation. We're moving forward to ensure that—

**The Speaker (Hon Gary Carr):** The minister's time is up. Supplementary?

**Mr Johnson:** Thank you, Minister. We're all in favour of the made-in-Ontario program, and it's certainly good news for both producers and consumers of food products in Ontario. Indeed, this past summer, in August, I took advantage of the opportunity to attend the conference on Midwest state governments in Fargo, North Dakota, with our colleague Mike Brown, who represents Algoma-Manitoulin. Food safety was the topic of many of the seminars at that conference.

Minister, can you provide the Legislature with any further benefits that are being produced through the effective enforcement of labelling and packaging throughout the human food chain?

**Hon Mrs Johns:** I want to say, as people in Ontario receive more accurate information about products through food signs, labelling and packaging, we know that people will purchase products that are made in the province of Ontario, produced in the province of Ontario and processed in the province of Ontario.

The people of Ontario know that our producers and processors are committed to the highest quality of food safety and quality, and it is imperative for the Ministry of Agriculture to protect our food supply. We have initiated a streamlined process to deal with offences, where people pretend that the food is made in Ontario. We are ensuring that a fair marketplace is theirs, because that's important to the consumers, it's important to the producers and it's important to the processors.

We have every need and every right in the province of Ontario to ensure that the agricultural community is protected and that everyone knows that they're buying safe food that's produced and processed in Ontario.

#### TORONTO ISLANDS COMMUNITY

**Mr Rosario Marchese (Trinity-Spadina):** A question to the Minister of Municipal Affairs and Housing: your ministry has decided to launch a review of the Toronto Islands community. This obviously makes the people living in this diverse and vibrant downtown community nervous. They see an unfriendly government conducting a review of the legislation, but to them, you're talking about their homes and their lives. Will you

end the suspense now and promise that you will maintain this vibrant and diverse downtown community?

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** I can't believe the audacity of the NDP, who passed this bill that called for the 10-year review, to stand up and question us on doing the 10-year review. Does nobody in your caucus tell you what they voted on back in 1992?

**Mr Marchese:** He is so clever, isn't he?

To the clever minister: look, the families in that community are obviously concerned about the future of their homes and their community. They are. I know the clause, but they're concerned about their homes. Downtown communities are already living under the threat of the expansion of the island airport, which is a source of noise and pollution, I would say, and more, as anyone whose home is threatened would.

Residents want to be reassured that you won't destroy their community. Will you promise to abide by the legislation and leave this community intact? That's the question to you.

**Hon Mr Hodgson:** I'm confused, because when I look at Hansard, and we're talking about Bill 61, subsection 32(2) talks about this 10-year review that has to take place, and then I see who voted for it, and it says "Marchese." Would that be the same member who's asking the question?

#### NOTICE OF DISSATISFACTION

**The Speaker (Hon Gary Carr):** Just before we begin petitions, pursuant to standing order 37(a), the member for Hamilton East has given notice of his dissatisfaction with the answer to his question given by the Minister of the Environment on Thursday last concerning the SWARU and Glanbrook landfill site. This matter will be debated today at 6 o'clock.

#### PETITIONS

##### COMPETITIVE ELECTRICITY MARKET

**Mr James J. Bradley (St Catharines):** This petition is to the Legislative Assembly of Ontario.

"Whereas the Ernie Eves government has legislated the opening of the Ontario electricity market as of May 1, 2002, and the price per kilowatt hour for electricity in the province of Ontario has nearly quadrupled since May 1; and

"Whereas the Conservative government of Ontario has done very little to address the key issues such as energy supply, which forces the province to import power and causes the price of electricity to skyrocket; and

"Whereas Ernie Eves has done a poor job in educating the public as to the ramifications of an open electricity market in the province of Ontario and has done little to



punish the unscrupulous sales practices of door-to-door energy retailers; and

"Whereas the government of Ontario has saddled the population of Ontario with additional debt reduction charges, which further increases the amount that the citizens of Ontario have to pay per kilowatt hour, yet the Hydro debt continues to increase; and

"Whereas the Mike Harris-Ernie Eves governments appointed the board of directors for Hydro One, who approved exorbitant salaries and compensation packages for Hydro One executives;

"Be it resolved that the Ontario government move immediately to protect our province's electricity consumers by addressing the serious generation problem in Ontario, by punishing unscrupulous electricity retailers and by moving forward the rebate to offset the increasing costs of electricity in Ontario."

I affix my signature. I'm in complete agreement.

### LONG-TERM CARE

**Ms Shelley Martel (Nickel Belt):** I have a petition that has been sent to me by John Van Beek of Local 204 of SEIU. It reads as follows:

"Whereas the Conservative government increased fees paid by Ontario seniors and other vulnerable people living in long-term-care facilities by 15% instead of providing adequate government funding for long-term care; and

"Whereas the Conservative government has therefore shifted the cost of long-term care on to the backs of the frail elderly and their families; and

"Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

"Whereas in 1996 Ontario abandoned its minimum requirement of 2.25 hours of nursing care per nursing home resident; and

"Whereas the government's own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

"Whereas according to the government's own study, government cutbacks have resulted in Ontario seniors receiving just 14 minutes a day of care from a registered nurse; and

"Whereas the report also found that Ontario residents receive the least nursing, bathing and general care of nine other comparable locations;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Conservative government eliminate the 15% fee increase for residents of long-term-care facilities, increase the number of nursing care hours for each resident to a minimum of 3.5 hours per day, and provide stable, increased funding to ensure quality care is there for Ontario residents of long-term-care facilities."

I agree with the petitioners, and I've affixed my signature to it.

1530

**Mr John Gerretsen (Kingston and the Islands):** I have a petition signed on literally hundreds of pages which is addressed to the Legislative Assembly of Ontario.

"Whereas the Eves government has increased the fees paid for by seniors and the most vulnerable living in long-term-care facilities by 15% or \$7.02 per diem effective August 1, 2002; and

"Whereas this fee increase will cost seniors and our most vulnerable more than \$200 a month; and

"Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

"Whereas the increase in the government's own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

"Whereas according to the government's own funded study, Ontario ranks last amongst comparable jurisdictions in the amount of time provided to a resident for nursing and personal care; and

"Whereas the long-term-care funding partnership has been based on government accepting the responsibility to fund the care and services that residents need; and

"Whereas government needs to increase long-term-care operating funding by \$750 million over the next three years to raise the level of service for Ontario's long-term-care residents to those in Saskatchewan in 1999;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Demand that Premier Eves reduce his 15% fee increase on seniors and the most vulnerable living in long-term-care facilities and increase provincial government support for nursing and personal care to adequate levels."

I have signed this petition, as I am in complete agreement with it.

### SPECIAL EDUCATION FUNDING

**Mrs Sandra Pupatello (Windsor West):** I'm very happy to have Jonna from my riding of Windsor West delivering the petition to the table today. Jonna, you have to come and stand up here so everybody can see you. Her parents come from my riding too.

"To the Legislative Assembly of Ontario:

"Whereas we, the people of Windsor-Essex county, continually see the number of students requiring special education increase; and

"Whereas we support the government's efforts to provide school boards with proportional special education funding based upon need;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To provide special education funding reflecting real needs and ministry-approved claims without delay based on immediate current levels of such needs identified within Windsor and Essex county, commencing September 2002 and henceforth."

There are a number of people from across Essex county who have signed this petition, and I'll add my name to it as well.

### LONG-TERM CARE

**Mr Dwight Duncan (Windsor-St Clair):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the Eves government has increased the fees paid by seniors and the most vulnerable living in long-term care facilities by 15% over the last three years or \$3.02 per diem in the first year and \$2 in the second year and \$2 in the third year effective September 1, 2002; and

"Whereas this fee increase will cost seniors and our most vulnerable more than \$200 a month after three years; and

"Whereas this increase is above the rent increase guidelines for tenants in the province of Ontario for 2002; and

"Whereas according to the government's own funded study, Ontario will still rank last amongst comparable jurisdictions in the amount of time provided to a resident for nursing and personal care; and

"Whereas the long-term-care funding partnership has been based on government accepting the responsibility to fund the care and services that residents need; and

"Whereas government needs to increase long-term-care operating funding by \$750 million over the next three years to raise the level of service for Ontario's long-term-care residents to those in Saskatchewan in 1999; and

"Whereas this province has been built by seniors who should be able to live out their lives with dignity, respect and in comfort in this province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Demand that Premier Eves reduce the 15% increase over three years in accommodation costs to no more than the cost-of-living increase annually and that the provincial government provide adequate funding for nursing and personal care to a level that is at least the average standard for nursing and personal care in those 10 jurisdictions included in the government's own study."

I proudly affix my signature to this petition.

### NATURAL GAS RATES

**Mr Michael Gravelle (Thunder Bay-Superior North):** My constituents are furious about the Ontario Energy Board approving the retroactive delivery charge by Union Gas. We've got a petition campaign going.

"To the Legislative Assembly of Ontario:

"Whereas the Ontario Energy Board has consented to allow Union Gas to retroactively charge \$40 per month for a three-month period to recover additional system operation costs that occurred during the winter of 2000-01 totalling approximately \$150 million;

"Whereas Union Gas will recover accrued costs over the peak heating season, causing undue hardship;

"Whereas this retroactive charge will affect all customers who receive Union Gas, including new homeowners and new customers to Union Gas;"—which is absurd—

"Therefore we demand that the Ernie Eves government issue a policy directive under section 27.1 of the Ontario Energy Board Act disallowing the retroactive rate hike granted to Union Gas; and we further demand that the Legislature examine the Ontario Energy Board, its processes and its resources, and make changes that will protect consumers from further retroactive rate increases."

I encourage people to come into my office to pick up letters of protest and sign the petition. I personally am very pleased to sign this petition.

**Mr Dwight Duncan (Windsor-St Clair):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the Ontario Energy Board has consented to allow Union Gas to retroactively charge \$40 per month for a three-month period to recover additional system operation costs that occurred during the winter of 2000-01 totalling approximately \$150 million;

"Whereas Union Gas will recover accrued costs over the peak heating season, causing undue hardship;

"Whereas this retroactive charge will affect all customers who receive Union Gas, including new homeowners and new customers to Union Gas;

"Therefore we demand that the Ernie Eves government issue a policy directive under section 27.1 of the Ontario Energy Board Act disallowing the retroactive rate hike granted to Union Gas; and we further demand that the Legislature examine the Ontario Energy Board, its processes and its resources, and make changes that will protect consumers from further retroactive rate increases."

I am honoured to sign my name to this petition.

### CHILDREN'S MENTAL HEALTH SERVICES

**Mr Michael Gravelle (Thunder Bay-Superior North):** The Lakehead Regional Family Centre continues to be under great financial pressure. We have a petition campaign going to try to get the government to provide the needed funding.

"To the Legislative Assembly of Ontario:

"Whereas the children and families with the Lakehead Regional Family Centre deserve to have quality and timely children's mental health services; and

"Whereas for the first time Lakehead Regional Family Centre has a deficit budget of \$200,000 due to the lack of adequate funding from the provincial government and the sharp increase in the demands for children's mental health services in the city of Thunder Bay; and

"Whereas referrals to Lakehead Regional Family Centre have increased 150% since 1995, and no additional permanent funding has been received to help meet the needs of our community; and

"Whereas since 1993, the government's investment in core funding for children's mental health services has



declined by 8%, and salaries for staff are up to 30% lower than in hospitals and other government services; and

"Whereas according to the Canadian Journal of Psychiatry, 18% of children and youth in Ontario have a diagnosable mental health disorder, and yet Ontario only treats one in six of these children; and

"Whereas without immediate additional permanent funding, children's mental health services could be severely restricted to those children and families who need it the most,

"Therefore we, the undersigned citizens of Ontario and residents of the city of Thunder Bay, petition the Legislative Assembly of Ontario as follows:

"For the provincial government to provide an immediate infusion of additional permanent funding to the Lakehead Regional Family Centre to help fight the crisis situation facing children's mental health services in the city of Thunder Bay."

This is a very important petition; they continue to come in. I am very pleased to pass this off to Kyle, and I am proud to sign my name to the petition.

#### NATURAL GAS RATES

**Mr Michael Gravelle (Thunder Bay-Superior North):** I will read some more petitions related to the decision by the Ontario Energy Board to allow Union Gas to charge a retroactive delivery charge. As I said, it is a huge issue in my riding and, I know, all across the province where Union Gas provides service.

"To the Legislative Assembly of Ontario:

"Whereas the Ontario Energy Board has consented to allow Union Gas to retroactively charge \$40 per month for a three-month period to recover additional system operation costs that occurred during the winter of 2000-01 totalling approximately \$150 million;

"Whereas Union Gas will recover accrued costs over the peak heating season, causing undue hardship;

"Whereas this retroactive charge will affect all customers who receive Union Gas, including new homeowners and new customers to Union Gas;"—that is, those who have not received service two years ago—

"Therefore, we demand that the Ernie Eves government issue a policy directive under section 27.1 of the Ontario Energy Board Act disallowing the retroactive rate hike granted to Union Gas; and

"We further demand that the Legislature examine the Ontario Energy Board, its processes and its resources, and make changes that will protect consumers from further retroactive increases."

Again I'm pleased to sign my name to this petition.

1540

#### ABORTION

**Mr Gerry Martiniuk (Cambridge):** I have a petition from scores of good citizens of Cambridge, which reads:

"To the Legislative Assembly of Ontario:

"Whereas on October 31, 2001, in a submission to the federal House of Commons finance committee, Canadian Abortion Rights Action League executive director Marilyn Wilson said that women who seek abortions 'do so for socio-economic reasons' rather than as a necessary medical procedure; and

"Whereas the results of a 1998 study using findings from 32 studies in 27 countries stated that, 'Worldwide, the most commonly reported reason women cite for having an abortion is to postpone or stop childbearing. The second most common reason: social-economic concerns ...'; and

"Whereas the Ontario health system is overburdened and pregnancy is not a disease, injury or illness; and

"Whereas the province has the exclusive authority to determine what services will be insured and the Canada Health Act does not require funding for elective procedures; and

"Whereas the funding of induced abortion requires an estimated minimum of 25 million of Ontario health dollars annually;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to deinsure (therapeutic) induced abortion."

#### ONTARIO DISABILITY SUPPORT PROGRAM

**Mr Michael Gravelle (Thunder Bay-Superior North):** Another important petition regarding the Ontario disability support program:

"To the Legislative Assembly of Ontario:

"Whereas people with disabilities who rely on Ontario disability support program payments are facing rising costs; and

"Whereas people unable to work because of serious disabilities have had no increase in support since 1993; and

"Whereas with loss of rent controls their rents have skyrocketed, placing huge financial strains on many ODSP recipients,

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to bring fairness to the Ontario Disability Support Program Act, 1997, by amending it to provide for regulations requiring annual cost-of-living adjustments to income support payments."

I'm in support of this and I'm very pleased to sign my name to the petition.

**ORDERS OF THE DAY****TORONTO WATERFRONT  
REVITALIZATION  
CORPORATION ACT, 2002****LOI DE 2002 SUR LA SOCIÉTÉ  
DE REVITALISATION  
DU SECTEUR RIVERAIN DE TORONTO**

Resuming the debate adjourned on September 30, 2002, on the motion for second reading of Bill 151, An Act respecting the Toronto Waterfront Revitalization Corporation / Projet de loi 151, Loi concernant la Société de revitalisation du secteur riverain de Toronto.

**The Acting Speaker (Mr Michael A. Brown):** The member for Beaches-East York.

**Mr Michael Prue (Beaches-East York):** Last night, I spoke for some 40 minutes and I understand I have 20 minutes left today. I wish to resume not necessarily where I left off, but I wish to deal with an item that came up right at the end of my speech.

The Attorney General came forward to correct the record. It was my understanding that I had heard someone opposite say, "So what?" to one of my comments relating to rent controls. He came forward and suggested that in fact he had not said that, but was heckling me or talking to me in terms of my voting record in the city of Toronto back in 1998, a comment that I have heard many times. I take him at his word that that is in fact what the heckle was about and it was not about rent control legislation.

But having said that, I have heard this many times and I wish to deal with that, with your indulgence, before I go into the substantive details of the debate around Bill 151 and the waterfront development.

I have stood up many times and asked questions opposite about rent control legislation and the fact that people in the larger cities of this province are starting to have a difficult time with above-guideline increases, vacancy decontrol and the fact that rents are rising very quickly as a result of the legislation and the fact that virtually no social housing units have been built in this province since 1995.

Each and every time I ask that question, there is a statement made by one of the ministers or a heckle made by one of the members opposite that my voting record has really stopped housing from being built, in Toronto especially. They often state that as a result of voting that took place in 1998 and 2001. Specifically, I'm reading from Hansard the first time this was raised, because it caused me some considerable consternation, knowing that this was not true, because I had never voted in such a way. I quote from Hansard. This was the Honourable Mr Hodgson on the issue of affordable housing when this was first raised. I'm sorry, I don't appear to have the date with me, unfortunately. But I quote from this. It says:

"I don't think he understands the program, but to answer his question, we did do a little research. When you were on the city of Toronto council, you supported a motion that maintained the multi-residential tax rate at 4.7 times that of the residential rate. That minute was 4.15, C.1 A.2, April 23 to May 2, 2001."

He went on to say, "The second thing you did while you were a member of the city of Toronto council was support a motion in 1998 to create a new multi-residential property tax class. You're on the record for this. That has meant that every rent in Toronto has gone up 15% to 20% because of your actions. We're trying to get affordable rents in this province, particularly in the city of Toronto, over your objections."

We did some research. We went out and got those actual minutes. I want to tell you that I have no idea who is advising the minister or the members opposite about what is contained in those minutes of the council resolutions. I have absolutely no idea. At best, the advisers you have advising you are incompetent. That's all I can say. They do not know how to read municipal minutes or, at worst, they are simply making up something, because after 14 years of municipal service and the thousands of debates and the tens of thousands of votes that I've participated in over that time, they could not find anything at all to say that would embarrass me here in this House. I want to just go through what those minutes say in the order that they were raised by Mr Hodgson and in terms of what was said last night.

In terms of the first minute, that minute being that of April 23 to May 2, 2001, the vote on Toronto city council was 41 to 3. I was one of those who voted in the majority. This was the foregoing clause and it was in the affirmative by 38 votes. This was a motion that is entitled "The Optional New Multi-Residential Property Class." It quite frankly talks about establishing a new multi-residential property class applied to the city of Toronto.

It is asking that the province permit the municipality to extend the maximum period beyond the eight years that was allowed for in provincial legislation. It asked for the chief financial officer to report back on a new tax rate that would be less than the tax rate the city of Toronto applied. It went on to state that "council reaffirm its intent to create a permanent solution to ensure property tax equity between homeowners," condo owners "and tenants; and the work plan to that end be developed in 1999, as set out by council at its meeting held on July 21 and July 23, 1998.

"That city council request the province to grant the city legislation which would permit the city to create a new property class for rooming houses, bachelorettes and other housing accommodation for the poorest and most vulnerable residents in the community."

It went on, and I quote from that same minute, which is the allegation that I did something to keep it high, and quite clearly says from the resolved, "Therefore be it resolved that such recommendation be reopened and that council pass a bylaw to create a property class for newly constructed rental apartment buildings of seven units or



more at the residential/farm tax rate and that the province be requested to make this a permanent tax policy tool.”

The staff recommendation that accompanied all the votes is absolutely quite clear: “This report has also been forwarded to the Council Strategy for People Without Homes. The committee is involved in work on an affordable housing supply strategy for the city of Toronto. The new multi-residential property class recommended by this report is one of the mechanisms previously identified by the committee.

1550

It goes further on page 5 to say, “To bring the economic rent closer to market rent will require a number of initiatives and the co-operation of the municipal, provincial and federal levels of government. The most significant initiative is reducing property taxes paid by multi-residential properties to the residential rate. By creating the new multi-residential property class, and taxing it at the residential rate, the city can reduce the gap between economic rent and market rent by about 40% (based on financial proformas from *The Challenge of Encouraging Investment in New Rental Housing in Ontario*, Greg Lampert, Economic Consultant ...1995).

“What is perhaps even more important is that by introducing the new multi-residential property class, the city would make a very strong statement to the provincial and federal government that the city is committed to doing its share to improve the supply of affordable housing, and that we expect other levels of government to contribute their share as well.”

That is what I am being heckled on. I don't know what the members opposite who heckle me on this vote are talking about. I quite frankly do not know.

The second one that is quoted is about the 1998 multi-residential property tax. We pulled the minutes from this: the vote was unanimous. It was not called to a vote but was done on consent because there was no opposition from any of the members who were present at that time—57 people were totally in agreement with what was suggested.

I looked through this to see what this was about, and again I am perplexed as to the heckling that continues to go on every time I ask this question. It set the multi-residential property rate at 4.7%, but it did so because it was the same tax ratio as the year before, and the province had requested that this be done in order that the city of Toronto could set the education portion of the tax rate.

I read from the minutes of the Toronto city council, April 23, 24, 25, 26, 27 and 30, 2000, and May 1 and 2, 2001. You may remember that was the great debate about the Adams mine; that's why the council meeting lasted so long. This was a relatively minor item that was passed without debate and with consent with all people present. This says, “the Minister of Finance be requested to prescribe a residential and multi-residential education rate for 2001 of 0.33934% in order to maintain total education tax burden on these classes at the 2000 level, and failing that, to adopt a residential and multi-

residential education tax rate for 2001 of 0.37092%, a level estimated to be revenue-neutral to the province.” What this is about is setting an educational tax rate in the city of Toronto on all of the rates that had been adopted previously by the city of Toronto council.

There is no known vote that ever occurred on that, other than the very first day of the first meeting of the city of Toronto council when we were required in a brand new megacity, in January 1998, to set a taxation policy for that year. In 1998 we literally had two weeks to set it and the motion was quite clear, and was unanimous as well, that we simply adopt the taxation levels of the year before on those expenditures for all the government departments, the six municipalities of metropolitan Toronto, tax from the identical sources—residential, multi-residential and others—and pool that together so that we could get on with the establishment of a new megacity.

If I am being criticized for that, then criticize me for that, but I don't know what anyone else could have done, given less than two weeks to prepare a \$6-billion budget in a new megacity. But what this really was about was setting the education tax rate. We simply asked the province to lower it for the city of Toronto, and I think that made good economic sense.

That is what the heckling seems to be about. I don't know if the members opposite want to continue to heckle me on that. I am sure they can find something better. I would suggest you go to your research staff and find something. In 14 years, I'm sure there is something I said or did that you can find to disagree with, but please do not make it up. This is totally irrelevant every time I ask a simple question or question the government opposite about rental policy or the building of affordable homes.

Having said that—and I hope I get a copy of that and that every word of that has been recorded. I intend to send some copies to the members opposite as soon as it is prepared so they might understand that the staff they are relying upon to do this research really don't know what they're doing.

Yesterday, I talked about the harbourfront development. I talked about the great things that can happen around the Don River, in the port lands and around the sites in what is a derelict and largely unused portion of the lands in Toronto; about the great visions that people in the city of Toronto have for that land; about the many cities across the world that have done wonderful things in their waterfront lands—places like Sydney, Australia; Cape Town, South Africa; our own Vancouver, and even Halifax, which has done some wonderful things.

I went on to talk about the city of Toronto's official plan. I went on to talk about the problems with big box retail gobbling up some of the land while we dither and wait to do the necessary legislation to get the final report established and to set up this new corporation. I talked about the port and how valuable it is to the city of Toronto and about the major setback that the two years of dithering has caused.

I went on to talk about other problems that I would like to see in the legislation when it is prepared, to bring this new corporation within the ambit of the freedom of information act. It is not now so done. I talked about affordable housing, hence the heckling. I talked about the business plan and why it was important that it be made public. I talked about the annual audit and that it be made public. I questioned section 13; that some changes should be made in committee about section 13 because it talks about the potential of the province pulling the plug and winding up this corporation after 20 years, when Mr Fung himself says this will take a minimum of 25 years and suggests it should involve all three levels of government—federal, provincial and municipal. I went on to talk about the city of Toronto being a junior partner, and the Municipal Act should be amended to recognize their position as a right. I went on to talk about the provision for open, public meetings, because it is not there. At that point my 40 minutes were up.

I wish to close today with one last item that I think needs to be said. The corporation that is being created does not have a power of expropriation built into the bill, and it is essential that it does have that power of expropriation. The power of expropriation is absolutely necessary if that waterfront is to be developed in the public interest. At the present time, approximately two thirds of the lands of the harbourfront are in the control of one level of government or another, but approximately one third of them are held in private hands, either owned outright or leased for long-term periods. I alluded to and spoke about some of them in my speech the other day. Those would be the Home Depot lands, the Canadian Tire lands and the Knob Hill lands that have been leased through TEDCO. There is some cloud still hanging over that. There are other lands that are owned, including Redpath sugar refineries, right on the waterfront, which it may be necessary to continue if Toronto is to continue to be a port city, but may as well be considered for other long-term development should that decision be made.

The power of expropriation is absolutely essential if the key lands developed, once the plans are finalized, are to be realized. It is important that that corporation be able to expropriate land if the plans require that it be done, and quite frankly, that has not been what has happened to date. It has not happened, and there is some considerable question.

1600

I quote from an article which first brought it to my attention, from the Toronto Star, dated September 25, urban issues by Christopher Hume. I think most of the members opposite and on this side of the House would be familiar with him. He writes a column a couple of times a week in the Toronto Star. The title of it is, "Fung's Waterfront Revitalization Group on the Way to Becoming a Paper Tiger." He points out quite correctly and succinctly, and I'll quote from that, "Then there's the issue of whether or not Fung's group will have the power of expropriation, an absolute necessity if it is to realize its mandate. So far, the issue hasn't been settled, but as one

insider pointed out, 'all three levels of government are trying to undermine the corporation at the 11th hour and getting their agencies to do the dirty work.'

"In Toronto's case, for example, it is TEDCO ... which has negotiated a deal for the film studios. According to someone who has seen the contracts, they contradict every principle by which the waterfront was to have been redeveloped.

"What this means is that instead of parks, green space, public amenities and residential buildings, we could well end up with asphalt and industry."

It is absolutely essential that this land be brought into the public forum. It is absolutely essential that it be developed for all of the residents of Ontario. Just as Ontario Place was developed all those many years ago as a public park and green space for every citizen of this province, so too must the harbourfront lands be brought into fruition so that they benefit not only the people who might one day work there, not only the people who might one day live there, but every single citizen who can enjoy the waterfront and the green space.

It is important that we regulate the land sales, as I alluded to and talked about yesterday, because this property could potentially be worth billions.

It is important that we talk about how it is to be financed, including a casino, which I think some of the members opposite are very interested in.

It is important that the land be cleaned up, because in some parts it is so toxic that no one could live there and no industry could even be built thereon. I am talking about the failed attempt of the city of Toronto many years ago, before amalgamation, who bought it for Ataritari lands and to put up assisted housing, only to have it fail because the land could not be remediated to an acceptable standard.

Most important, we need to talk about public access.

Those are the things that are important and that must be done by this Legislature and must be done in committee before this bill is finalized.

I was heartened by the comments of the member from Oak Ridges yesterday, talking about changes that he is proposing. I understand this will go to committee. I hope the members opposite have heard what I have said in these last two days about this land and will take that to heart in committee and make the necessary changes.

**The Acting Speaker:** Questions and comments?

**Hon Dan Newman (Associate Minister of Health and Long-Term Care):** I want to thank the member for Beaches-East York for his comments today and last night on this speech. His party seems to be in agreement with this bill.

This bill provides for an excellent partnership that shows that the federal government and the municipal level of government here in Toronto are working with the province. I think it's going to be great to see an environmental cleanup of the waterfront through this Bill 151, because this bill obviously benefits the city of Toronto. Toronto is, after all, the capital of this great province of Ontario, and Toronto is indeed a world-class



city. I think a world-class city like Toronto deserves a world-class waterfront.

But I do for a moment just want to focus on the member's remarks of last night regarding the monthly rent in Toronto. I think he said it's around \$900 a month for a one-bedroom unit. I just wanted to indicate that a fair portion of that money is property tax money that tenants pay, that is charged to the landlord and is passed on to the tenants. I simply wanted to indicate that in May 2001, Toronto city council passed a motion that maintained the multi-residential tax rate at over four times the residential rate that is charged in this city. The point I want to make is that if this tax rate were to be abolished, it would actually result in a 15% to 20% decline in the rent for the average tenant in the city of Toronto.

That's the point I wanted to make. Quite simply, there's a fair amount of money that is charged to tenants in this city for property tax that is added on to their bill. That accounts for why, I believe, rents are as high as they are in Toronto. A reduction like that would mean a reduction to all tenants across the city. It would mean a reduction for tenants in the ridings of Scarborough Southwest, Scarborough East, Scarborough Centre and, yes, in Beaches-East York.

**Mr James J. Bradley (St Catharines):** Following on that, of course those rents are going to skyrocket when the cost of electrical power in this province is added to them. I think the member would agree with me on that. We're going to see dramatic increases in rents as a result of this government allowing power costs to get way out of whack, way out of control. However, I diverge from the topic at hand.

I am surprised, because I don't think the member said this, that this bill is going to have anything to do with cleaning up the environment. It may clean up visually the waterfront of Toronto and we can have some lovely trails and so on, but when we have to clean up the lakes and the waters going into the lakes, this bill has nothing to do with that. That's going to require a major commitment on the part of this government. Instead of the environment being a priority, the government's priority is giving tax cuts to the wealthiest people in the province. Therefore, this government aligns itself with Ralph Klein.

We're going to have Ralph Klein, whose views were as neanderthal as you could get on the environment—I can tell you that because I was Minister of the Environment of Ontario when he was Minister of the Environment of Alberta. His views were regressive then, let alone now. In those days Ontario had to drag Alberta along by the ear to get them to agree to anything in terms of dealing with national environmental problems. Ontario had to prod the federal government. Today Ontario is aligning itself. I think the Premier may be on a tour with Ralph Klein, and some of the ministers may want to tour with the ministers.

Once again Conservatives are telling us why we can't clean up and protect the environment. They never want to tell us how we're going to do it or implement policies to do it. They want to tell us why it can't be done. The

person who would recognize that as well as anybody is the member for Beaches-East York, who has watched that as a municipal councillor and now as a member of this House. He must have found the response to the alternative fuels committee report today to be nothing short of pathetic.

**Mr David Christopherson (Hamilton West):** I rise and I can't say enough in commending the remarks of my colleague from Beaches-East York. I was in the chair last evening when my colleague did 40 minutes of his speech and I heard most of it here today also. I would hope that the government would pay very close attention, not just because we think Michael Prue is an important person and should be listened to because he has valuable thoughts to offer, but he brings very unique credentials to this debate and to this place, being a former Toronto councillor. Probably more important for this debate, as a former mayor of East York, now part of the city of Toronto, he brings the mayor's view, which quite frankly cuts beyond all partisan lines and speaks to what's in the best interests of ordinary citizens.

A couple of the comments he made I hope the government will particularly take to heart. One is a recommendation that this needs adequate committee time. The second is that this is not just about Toronto. When I say that, I say it for two reasons: one, those of us who have beautiful waterfronts also, and I speak of my hometown of Hamilton, are also keeping an eye on what this government is prepared to do with Toronto. We're going to want to make sure that you're prepared to pay some attention and make a priority out of our waterfronts too, because they're an important part of our future. That's the first aspect of this.

The second one, and I think it's so true—I say this as a non-Torontonian—is that if you want it to belong to all the people of Ontario and want us all to take pride in it, then there has to be something there for everyone. That's why speaking to the culture, speaking to inclusiveness in terms of decision-making, is critical to making this feel like all Ontarians own it and not just Torontonians.

1610

**Ms Marilyn Mushinski (Scarborough Centre):** I'm pleased to join in this response to the member from Beaches-East York. I spoke to this issue on September 25 and really did speak to the waterfront regeneration. It's interesting because for the first half of the member's speech this afternoon, I heard him defending his track record at Toronto city council. It seems to me he was on Toronto city council when the whole tent city issue began about three years ago, and it took well over three years for that issue to be resolved.

It's interesting that when we hear this sort of NDP rant about the protection of ordinary citizens, it was he and his gang, I would suggest, who opposed equality for taxpayers across Metropolitan Toronto and consistently opposed fair market value assessment—yet another example of how they refuse to protect the interests of the many rent payers, many of whom reside in the suburbs of Etobicoke and Scarborough. In fact, probably 45% of my

residents are renters in my riding of Scarborough Centre. I'll tell you, the one party that never protected their interests while I was a member of council was the NDP, so I resent every word he's just said.

**The Acting Speaker:** Response?

**Mr Prue:** I want to thank Minister Newman—and I'll get to him in a minute—the member from St Catharines and the member from Hamilton West, but with the greatest of respect I cannot thank the member from Scarborough Centre for her comments.

First of all, on the three years—

**Ms Mushinski:** I wasn't looking for your thanks.

**Mr Prue:** Yes, I was there and I do not remember a single vote on tent city. It was privately held land that did not concern the city of Toronto. We did from time to time make sure that those poor people had sufficient health care and we did from time to time authorize funds to make sure the medical officer of health and her staff could go there to make sure it did not get any worse than what it actually was.

On fair market value assessment, I want to inform the member opposite that she is again reinventing history. I was one of those people who supported market value assessment. Do you hear that? Contrary to what you are saying across there, which is not true, I was one of those who supported it because in East York half the people gained and half the people lost and it seemed to me eminently fair that it be done.

As for Minister Newman, I want to tell you that yes, it would save a lot of money in Toronto and other places if it was reduced. There is no question about that. The problem with the city of Toronto is that the city of Toronto is starved for funds. Every year the tax rate has gone up 5%—last year, this year and probably will next year—because it is confined to homeowners.

When the provincial government decided to cap the rents in order to allow homeowners to start paying more and to bring it into line, there was some discussion at Toronto city hall and I was on the side of the people who thought what you did was correct. I want to tell you that what you did was correct. It is a long and slow process, but it needed to be done. I would hope that somebody does the record—

**The Acting Speaker:** Thank you. Further debate?

**Mrs Julia Munro (York North):** I rise today to support the motion for second reading of Bill 151, the Toronto Waterfront Revitalization Act.

The bill was first introduced in the Legislature last December. As members will recall, the passage of the proposed legislation would create a permanent Toronto Waterfront Revitalization Corp, or TWRC.

The redevelopment and renewal of Toronto's waterfront would usher in an important new period in the city's history. It would ensure that Ontario's capital continues to be known as The City That Works throughout the 21st century.

We know that Toronto and indeed the entire greater Toronto area have already seen significant growth over the past 25 years—I would add, even over the past seven

years. That growth is expected to continue over the next quarter century, as some three million more people are expected to come here to live in central Ontario. Many of those new people will be drawn to Toronto: to the new jobs, the outstanding cultural attractions and the safe neighbourhoods that have played such an important role in the city's past success.

When viewed from the perspective of other areas, Toronto is not a very old city when you compare it to rival places like London, Paris and Rome, New York, Chicago and Los Angeles, but it has already established its reputation as one of the best places in the world to invest, work and raise a family.

Over the next 25 years, the growth we are expecting here in the greater Toronto area will represent a significant challenge, both for the city and the province. The Toronto area will need new infrastructure to accommodate a growing population, everything from roads to public transit to water and sewage treatment facilities. It will need schools, hospitals and other public services and it will need new jobs, housing, entertainment and restaurant services, as well as parks, playgrounds and recreational facilities.

As the city and the GTA continue to grow, our challenge will be to practise the principles of Ontario's Smart Growth initiative: to build strong, new communities while maintaining a competitive economy and a safe, healthy environment.

Through Smart Growth, we can manage Ontario's growing population and economy in a sustainable manner, and we can do so while avoiding urban sprawl and the destruction of valuable farm and recreational land.

The revitalization of Toronto's waterfront also represents an outstanding opportunity to utilize Ontario's brownfield redevelopment initiative. This will enable us to transform derelict and contaminated land into more productive uses.

There is no doubt that Toronto, as Ontario's capital city and the largest urban centre in Canada, has the potential to join the ranks of the world's great cities. The revitalization of the city's waterfront area offers us a tremendous opportunity to achieve that potential.

As members are aware, the province has two partners in the waterfront redevelopment initiative: the government of Canada and the city of Toronto. Those partners share our belief in Toronto's potential. They have each joined with us in committing \$500 million, for a total public investment of \$1.5 billion in the city's waterfront.

That is a significant amount of money and a major vote of confidence in Toronto's future. These funds will be used for investments to kick-start the revitalization and transformation of Toronto's waterfront. They will help strengthen the city's international competitiveness and they will create thousands of new jobs, new neighbourhoods and new facilities for people to live and work in the city's downtown area.

Bill 151 fulfills Ontario's commitment to take the lead on waterfront redevelopment through the creation of a permanent waterfront revitalization corporation. If the



bill becomes law, it will take us an important step closer to unlocking the potential of Toronto's waterfront.

1620

This potential is very significant indeed. We are talking about a massive redevelopment project. As Mr Robert Fung, who chairs the interim waterfront corporation has pointed out, we could be looking at a series of major proposals that include 10 million square feet of new commercial and industrial space, an amount equal to the floor space of five Sky Domes—

**Mr Doug Galt (Minister without Portfolio):** On a point of order, Mr Speaker: I wonder if the House would consider unanimous consent that next week the NDP would have no questions during question period.

**The Acting Speaker:** Order. I'm not going to allow that. You don't technically have the floor. The member for York North.

**Mrs Munro:** —a total of 74 hectares or 183 acres of new public parkland; up to 35,000 new permanent jobs and an estimated 165,000 person-years of employment during construction; new homes for as many as 68,000 people; \$100 million in new annual property tax revenue, based on current tax rates; new attractions that would bring an estimated two million additional visitors to Toronto each year, which would represent an increase of 10%; and finally, some \$800 million in improvements to public transit, resulting in an additional 100,000 TTC trips per day, which would represent an 8% increase in overall TTC ridership.

As I have noted, the scale of these projects and the scope of Mr Fung's vision for the waterfront are truly impressive. That is why we need to create a permanent corporation to coordinate the public's investment in these projects as well as the billions in private sector capital we hope to attract to the waterfront.

That is the purpose of Bill 151. Under the proposed legislation the Toronto Waterfront Revitalization Corp would be responsible for developing business strategies and implementing projects along the city's waterfront. It would also act as a catalyst for the adoption of innovative new approaches in how those projects are planned, financed and delivered.

Bill 151 would provide the permanent Toronto Waterfront Revitalization Corp with a framework to leverage the initial \$1.5 billion that has been provided by the three governments. The goal here is to allow the corporation to achieve financial self-sufficiency while forging new partnerships with the private sector in waterfront projects.

However, I think it is important to point out that the three governments are not proposing simply to write the waterfront corporation a blank cheque. To ensure the corporation's accountability, Bill 151 provides that the approval of all three governments would be required to permit the proposed corporation to borrow funds, mortgage its assets, or generate revenues.

The proposed legislation would give the new corporation a mandate to create an accessible, active waterfront. It would transform Toronto by giving it a whole new and

exciting district with many new developments where people can live, work and play. While the corporation would have a mandate to encourage private sector involvement in those developments, it would also be required to ensure that members of the public have an opportunity to express their views on its plans.

The proposed legislation and the future agreements that will be developed under the legislation include a number of other specific provisions regarding how the permanent Toronto Waterfront Revitalization Corp would conduct its business.

For example, Bill 151 includes provisions for the following: future contribution agreements between the three levels of government and the corporation outlining the terms under which the governments will contribute assets and funding; second, financial self-sufficiency and risk mitigation as key principles in the corporations business plan; and finally, the usual powers of a corporation, including the ability to enter into binding contracts, issue debt, create subsidies and acquire, sell and lease land, as well as the distribution of assets and liabilities at dissolution, subject to government approvals.

As members can see, the proposed Toronto Waterfront Revitalization Corporation Act provides a broad outline of the corporation's purpose, powers and mandate. It also provides a framework for the corporation's future decisions in key areas, such as business planning, financial accountability and annual reporting requirements.

The proposed legislation sets out the Toronto Waterfront Revitalization Corp's corporate structure and provides for a publicly appointed board of directors of up to 13 people. The three partner governments would each be able to appoint up to four board members, to ensure each partner's interests are appropriately represented.

Bill 151 also provides that on its passage, Robert Fung, who is currently serving as the chair of the interim corporation, would become chair of the permanent corporation. As members know, Mr Fung headed up the waterfront task force, and his broad vision of what the waterfront can be has created a great deal of excitement.

In Mr Fung's view, Toronto has a golden opportunity to create a new economic model on the waterfront, a place where business and technology clusters can coalesce, fuse and prosper together. To make this vision possible, we will need to build dynamic new live-work communities. It has been estimated that the port lands alone could accommodate a major new community of perhaps as many as 50,000 people.

Mr Fung has talked publicly about his vision of transforming a largely derelict part of the city into an innovative new working and living environment, a place where people, homes and businesses are linked electronically to university research facilities, for example, and to the rest of the world.

This new community would have the potential to turn Toronto into a leading supplier of creativity, and to become one of North America's key centres in the emerging knowledge economy.

Under the proposed legislation before us today, this exciting vision—and the important task of transforming the Toronto waterfront—would be managed by the permanent Toronto Waterfront Revitalization Corp.

The legislation has been carefully drafted to ensure a smooth transition from the interim corporation that exists today to a permanent corporation. The bill also provides a process for conducting a sunset review and a co-operative wind-down plan, when the corporation completes its mandate.

I think the honourable members should know that since first reading of the bill, the government of Ontario has consulted with the federal and city governments and the Toronto Waterfront Revitalization Corp on a number of proposed amendments. As a result of these consultations, our government is proposing several amendments to the bill, to clarify certain sections of the legislation and respond to suggestions from the federal government, the city of Toronto and the corporation.

The proposed amendments include, first, a requirement for the corporation to conduct a review of the act and report back to the three governments within 12 months of its enactment on any suggested amendments to the act; second, a requirement that the corporation's business plan include a public consultation plan and, every fifth year, a five-year revitalization plan; third, a requirement that the province consult with the federal government and the city of Toronto prior to making any regulations under the act.

1630

It may also interest my legislative colleagues to know that, early in October, the Toronto Waterfront Revitalization Corp is expected to submit a formal development plan and business strategy to all three levels of government.

The strategy is expected to address the design, financing and implementation of waterfront renewal projects and to consist of three major parts: first, a development plan being prepared in co-operation with the three governments; second, a financial model outlining how projects would be paid for; and finally, an implementation plan indicating what will go where, and when it is likely to happen.

At the municipal level, the members should also be aware that the city of Toronto's central waterfront part two plan, which is consistent with the Toronto Waterfront Revitalization Corp's development plan, will also be going forward for the approval of the Waterfront Reference Group and city council.

Public consultation on this development plan will take place this fall, and that means the revitalization of Toronto's waterfront should really start to gather momentum in the coming year.

As members know, four priority projects on the waterfront have already received the green light: the construction of the Front Street extension is expected to begin in the spring; the building of a second subway platform at Union Station is expected to be completed by 2007; the rehabilitation of the port lands area will

upgrade the land for many new uses; and an environmental assessment will lead to significant improvements near the mouth of the Don River.

As I said earlier, these improvements to Toronto's waterfront represent part of a necessary response to the challenges of future growth in the city itself and in southern Ontario.

By implementing our bold new vision of the city's waterfront, all three government partners hope to take advantage of this tremendous opportunity and reap significant social and economic dividends over the longer term.

Revitalizing the waterfront lands will strengthen Toronto and make its economy and the economies of Ontario and Canada more competitive for the 21st century, and the passage of Bill 151 will help us to achieve those important goals.

I invite my honourable colleagues to join me in voting for a stronger Toronto, and a brighter future for the city and our province, by lending their support to the motion.

**The Acting Speaker:** Questions or comments?

**Mr John Gerretsen (Kingston and the Islands):** I would like to make some comments on the member's statement and speech, which I thought was well made in every respect.

I have a question, though, and it specifically relates to when she talked about the four projects that had already been approved for these lands. It's my understanding a newspaper article—I'm not a Toronto member, so perhaps I'm not as up to speed on these matters as Toronto members would be—just last Wednesday in the Toronto Star in effect stated that two film studios have also been approved for the site by city council, which will include something like 20 hectares of parking, and also that the Ontario Power Generation Corp and Toronto Hydro have applied to construct electrical generating stations on the waterfront on these lands. I'm just wondering if she is prepared to comment, when she gets an opportunity, on how those three rather major projects—20 hectares of parking is one heck of a lot of asphalt—fit in with the original plans that were developed with the revitalization ideas that people are talking about.

It seems to me that this kind of legislation we're passing here today—perhaps we're about a year too late, which raises another question as to why this bill, which was first introduced here back in November of last year and only given first reading on December 11 of last year—why we've waited some 10 months to deal with it.

I would sincerely like to get an answer to those questions as to how these three projects could have been approved. All of them, in my mind, seem to run counter to what's actually been proposed for the site.

**Mr Christopherson:** In responding to the comments of the member for York North I want to draw attention to something my colleague from Beaches-East York spent a fair bit of time talking about. Quite frankly, in a couple of responses government members have alluded to it, but I don't think we're hearing enough around the issue of affordable housing given the importance of it. I know there has been some mention. I'm not suggesting it hasn't



been talked about or that there's no consideration. I just want to say from this side of the House, for those of us who are paying particular attention to the growing crisis—and that almost seems redundant to say. Since it was declared a national emergency or a national disaster, I think, two or three years ago, virtually every speech coming from the government side of the House should contain some reference to affordable housing.

The bill itself doesn't speak to that, so now we're relying on the goodwill of this government and other governments. Again, given the fact that there are no politicians that are going to be on the board of the corporation, now we're twice removed to the extent that we need to be appointing people that we know are going to be advocates. I just question how much those credentials will carry the day when this government reviews the makeup of the board or, quite frankly, concerns about the feds or municipalities. But then, why should we have to look to those levels of government to deal with the issue of housing, which primarily is a provincial responsibility? Given that you, the government of the day, the Tories, took us out of the business of affordable housing—we were the last bastion in North America directly providing affordable housing, yes, through the Rae government and when you shut it down, you shut down the last government dealing with affordable housing—we need to hear more from you.

**Mr AL McDonald (Nipissing):** I rise today to lend my support to Bill 151. I know in my riding of Nipissing, the city of North Bay is going through the challenges of trying to develop its waterfront as well. The one thing we all know and understand as individuals, as citizens of Ontario and of Canada is that we expect and we almost demand that all three levels of government co-operate for the betterment of the citizens of not only Ontario but Canada. I see this as a great opportunity where all three levels of government have come together and realized the benefits of water redevelopment.

I think back to the city of North Bay in Nipissing, which purchased the waterfront there a couple of years ago, and the struggles they are going through in trying to bring all three different levels of government on board to provide financial assistance, which I support. It will better the people of North Bay, the Nipissing region and northern Ontario.

The same could be said about the world-class city of Toronto. Toronto is the hub of our country. It's the financial heart. It creates tourism in itself. I think we should all be proud to be part of this partnership with all three levels of government. It doesn't matter which side of the House you sit on. This is about supporting the people of Ontario, supporting the people of Toronto, supporting tourism.

Personally, I think this is a great bill. I really want to speak in favour of it, and I'm hoping the individuals on the other side of the Legislature will see fit to approve it as well.

1640

**Mr Alvin Curling (Scarborough-Rouge River):** I listened very carefully to the member for York North. My colleague from Kingston and the Islands pointed a question to you, and I would like you, in your comments back, to answer that. It's so important that I wanted to emphasize it anyhow.

This government seems to run hot and cold at times. What is in place today was so hot when the Olympics was around, and then all of a sudden it went away and nothing was heard about it. Now there's the dawn of an election coming up and there's a great interest in this.

I just wondered if you could answer the member's question. Why is it that we have all kind of visions around, people doing things around the waterfront—they're supposed to have a structure here. People seem to be working at cross-purposes. Why is it that this government, or this great corporation we have with the three governments—we're allowing these things to happen around us: the Home Depot, the Canadian Tire stuff. Everybody's doing something about it all. I'd like to know if this will put a stop to that. Is that going to be addressed directly in this strategy you have here?

I know that the member from Nipissing stated that we all should support it, but I'd like him also to tell you, to tell the government, to put your money where your mouth is. It's going to cost us about \$12 billion. I haven't heard your government yet stating how much money you're going to put forward to that project.

In your response—of course they have informed you, when you're speaking from your notes, how much money they will put forward for this wonderful, beautiful structure of the waterfront. I know you can do that.

**The Acting Speaker:** Response?

**Mrs Munro:** Thank you to the members for Kingston and the Islands, Hamilton West, Nipissing and Scarborough-Rouge River. There seems to have been a bit of a coalescing here in terms of the issues that members responded to. There are a couple of points I made reference to that need to be reiterated, simply to respond to the kinds of questions that have been raised.

The key thing with this waterfront project is the fact that it requires all three levels of government to agree, and when a suggestion is being made about individual projects—are they on? are they off?—I have outlined those that have been put forward at this time that demonstrate the commitment of the three levels of government.

The other issue that I think was raised was the question of the timing. Again, I did make reference to the fact that the bill was at first reading in December, and very specifically, the need to do the consultation with the other two levels of government, the response that came from that as well as the interim waterfront revitalization group. This bill, then, reflects the amendments that came from those discussions that have taken place in the last few months.

The issue about very specific things—when the member from Scarborough-Rouge River refers to the fact that it was a hot issue, yes, of course, at the time when much

attention was being directed to the Olympic bid. But it was very clear by this government that the money was—

**The Acting Speaker:** Thank you. Further debate?

**Mr Curling:** I am so happy I'm able to get the opportunity to speak on this very, very important issue and Bill 151. I know that basically what this bill proposes to do—and it will be passed by us. Dalton McGuinty and the Liberals support this direction and will continue supporting any growth in this respect.

Within the time I have, I'll try to highlight a couple of things that are of concern to me and I hope will be realized.

I have no problem with what is laid out here about how the corporation should be established and what should be done. As we know, the corporation in some respect has been established before. All this is doing is renaming it and of course putting special members on the 13-member board together.

But I wanted first to tell the people who are listening—and I know there are thousands out there very concerned about it who are watching right now and listening for where the direction is going to go, to say what Bill 151 is all about.

What grabs me is the first point. It says, "To implement a plan that enhances the value of the land in the designated waterfront area and creates an accessible and active waterfront for living, working and recreation, and to do so in a fiscally and environmentally responsible manner."

It's number 4 that really woke me up. It says, "To encourage public input into the development of the designated waterfront area." There was a time when they were challenged about how much public input they were going to have on this, how much public participation. I think Mr Fung—it was quite a coup when we got him to do this—had responded that it is the public interest that is first and foremost in all of this.

As I said, Bill 151, the corporation and the structure, really is something I support. But let me get into a little more detail of it all. I understand from this bill that they're going to have four members appointed by the federal government. I presume they will send their four down to this board. Then there are four members that will be appointed by the provincial government. I have a concern about that, because I understand they have appointed four bagmen from the Conservative Party. There we go again: we've gone off on this political influence immediately. I'm not going to prejudge them, but first I will say that I hope these bagmen are not biased and feel they have allegiance only to the Conservative Party. This is a very, very important structure we're putting in place.

Then we have four members appointed by the city council. I'm extremely impressed by the people who are being appointed to the board. I think the city was quite sensitive to the environment part of it. I think an environmentalist is on that board, and I'm sure they will get some more of the public input in there. Then there is one member, of course, who is jointly appointed by the feds, by the province and by the city council.

The chair, Mr Fung, who is now the chair of the Toronto revitalization committee, will I presume continue in this corporation. I think he'll do an excellent job. He's been a visionary in many of the things he has done in the past. We know that if he gets the resources, he will do the job.

There's an old saying back home in Jamaica, where I'm from, that sometimes we are given a basket to carry water. All the great ideas we may have here and this wonderful board—they're going to need the resources to carry out this wonderful project. They're going to need money. I understand from all this that they're going to need about \$12 billion, shared of course by getting it from the private sector, the city, the province and also the federal government. The city of course owns the land, so right up front they will say that's their contribution.

I have a little concern about the province. They should come forth with some money. I'm not quite sure, with all the speeches I've heard around here, that they're going to put forth that type of money—I think just about \$4 billion or so that they should put forward in order to get this program started.

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Yet I hope before the debate is over the Conservative Party will say to us, "We are committing \$4 billion to \$5 billion right now," and immediately put it aside so this structure can go on. We know how important it is, and I don't need to emphasize at length; the fact is that we have to get it going.

But I'm not convinced that this government is prepared to do that. With the way Ernie Eves is behaving these days, as he puts his fingers in the air to find out which way the wind blows and that the polls could go that way, he may take the money and run that way, or maybe it's another way and he'll go the other way, not understanding that a commitment was made with this project and that we have to follow this through.

The revitalization of the waterfront, in principle, is a very positive direction, and it is extremely necessary. Many of the members here have articulated the importance of having the waterfront revitalized.

I want to know that in the next 10, 15 or 20 years we will see a waterfront that is of use to all of us and to our young folks here today, like some of the pages, like Curtis Ng from my riding who is hoping, as he watches us develop the waterfront, that when he and his colleagues grow up, they can utilize it and say, "When I was at the House of Parliament they were debating 151 and today we are reaping the benefit, not only for ourselves but for all those who come from all over the world to enjoy it and the financial benefits."

As you know, for a long time Dalton McGuinty had put forward a strategy and had recognized the city of Toronto's waterfront. And of course the member for Nipissing had said, "This is the hub, this is the engine, this is the excitement of Canada, the Toronto waterfront."

What has been happening down there? In the last couple of days, in the last couple of weeks, as I said, things are working at cross purposes. We have seen tent



cities, Home Depot, Canadian Tire. We see the Gardiner Expressway where one minute it's going to be revitalized, redirected. Nothing is happening. I hope that we can be strong in our commitment to say there is one vision and we don't have it scattered all over the place about where we should get permission to do what, who's selling off what, and by the time the commission is ready to do their job, some of the things that are happening outside there would have completely turned this vision into something like a nightmare itself. We don't want that to happen.

The longer we delay this, the more we'll fall behind much of the global race and the global opportunities and the things that people come to Toronto for and the opportunities we have to make this place the vibrant and wonderful city that it is.

A part of that great development is a constructive and viable and clear future for the waterfront and its environs. I don't know when last you've driven along on the lakeshore there and the waterfront and have seen the potential. I don't know if you knew what it was in the last 20 years when you drove along there. It has been developing. One of my concerns, though, is that as they develop this, I hope that the access will be there continuously to be enjoyed by the public, and that the private sector doesn't dominate. I have confidence in Mr Fung that this will happen, that he will make sure that the public has that kind of access to it.

I noticed too that Bill 151 states emphatically that they must report annually of their vision and of their doings inside the corporation and the board. I noticed also that these reports must be available to the Minister of Transportation federally, the Minister of Finance provincially, but I didn't see anywhere that the public would have access to these reports. This is extremely important. Ever since this government has come into power, there has been no access to reports, there has been no access to what they're doing and somehow, if the public wants this kind of report, they may have to then pay for this. The fact is they're already paying for this. They've already allowed this wonderful development of the platitude saying public participation and openness.

If there is an amendment to this bill, it should say that it must be made available to the public at no cost. I'm not quite sure—I don't think so—if the corporation is charging the Minister of Transportation and the Minister of Finance for the report. Therefore, one should be made available to the public so they can see what's going on.

We know of course that the city's growing at a tremendous speed with the immigration that is happening. It's a wonderful thing. I support that sort of growth. Right now, they say we have 2.5 million people in the city, but I think there really are about three million people, as it goes on, with diverse cultural backgrounds. It's expected that in the next 20 or 25 years another million will be part of this city.

Do you know some of the events that happen annually, especially in the summertime? Millions of people come to the city and are attracted by some of the events that

happen here. We have Caribana. We have parades such as the Santa Claus parade. We have many things that people come to this great city for. I tell you, we have a waterfront here that would be a great attraction as we develop it in a business manner, which would not only create jobs, but it would bring the diversity of theatre and the various things that make a city vibrant and wonderful. As we know, in creating all these new jobs, new investment and new opportunities, we can become even a greater vibrant city than we are.

Many times people underestimate Toronto. When they come here, they think they're going to see a very dull city. Spending a day or two here, they find out how vibrant this city is. Beyond that, they find the potential and harmony that exists here, and the number of different cultural programs that we have is something that is the envy of many—not that we have it but that the harmony in which we all live and work is just tremendous.

This investment in waterfront restructuring is something we applaud, but let's not have this as a dream, because sometimes we dream too many dreams without having them realized and becoming a reality. This is not the first time we have been in this situation. It's not the first time we've had reports about revitalizing the waterfront. It's not the first time we have had great dreams.

We have amalgamated the city without any thought at all, without putting any money into it. We have seen a provincial government that has downloaded many of its responsibilities to the city, and the city is scrambling around. We have seen a provincial government that abandoned affordable housing. As a matter of fact, it's not even in their portfolio. It's not even a ministry any more. They don't recognize affordability. No wonder people gathered down at tent city on the waterfront. No wonder we have that kind of situation because what this provincial government has done is focus on basically making sure its corporate friends downtown don't pay any taxes and then they pass the load on to the poor cousins or the poor families within our city. That is bad because what we have seen is that people are now homeless.

We have had more homelessness in this city and this province than at any other time in the history of this province under this Conservative government. It's pathetic how we treat the most disadvantaged people in our society. If we are building waterfront revitalization that is going to bring jobs and show all these great opportunities, I hope the folks who are on the lower strata can also benefit and will be able to say, "This city's economic opportunities will benefit me," will benefit those poorer people and people who are struggling to even rent.

You know, it's funny: I watched the provincial government trying to bail out the tent city people, and they have no vision, no plans whatsoever. None. Then they turn around and say—and we see the city's saying they'll pay the first and last month's rent. What a joke. These folks say they can't pay any kind of rent for three or four months, even if you're going to pay the first and last month's rent. I'm telling the landlords who are taking those folks in that after the third month, behold, there is

no more money coming in because the folks have no money.

1700

I've seen a government that, on their watch, has had more people at the food banks. This is outrageous. Even people who are working have to line up at the food bank because they haven't got enough money to buy food for their children. They can hardly pay their rent.

What does this have to do with the waterfront? If we're going to revitalize the waterfront and be the economic engine where people will benefit through jobs and opportunities, we must see this through. If we're going to have it, we can't just talk about it. We must put our money where our mouths are. We must be able to say, if it's \$12 billion, we have a structure, a plan on how much money we're going to put forward. Just putting up the land alone and hoping that the private sector comes through with their \$7 billion, which they hope to do—and Mr Fung worked a lot of miracles in the past, and if he gets some support from the respective governments, it can happen.

But I want to have hope. I want this government to give me more hope and say, "Yes, we will do that; it can be realized," because I'm not quite sure that they are as committed as they say they are about this. It looks good and they hope that their rich friends will come through and of course people will want to invest, though I don't think the private sector will put the \$12 billion in. I think that the federal and the provincial governments must come forward with the money and things to make this work on its own.

I know they're saying, "We're not the same kind of government as we had with Mike Harris," but I have not seen a change. All I have seen is that one seat in the House has moved and is out. For the rest, the faces are the same, the attitude is the same, the arrogance is the same, but they speak with a little softer tone. But the dagger and the viciousness are still there. I also notice the fact that the confrontation we had with the education system, the tone is lower but they've still got the same attitude, and the people are not fooled by that.

So give me some hope. The member from Nipissing looks at me and says yes, he needs some hope, even from his own party. He said, "Give me some hope that when you say you're committed to the restructuring of the waterfront you will put some money there, so that jobs can be there, a theatre can be there, and a vibrant waterfront." As he said, "This is the engine of Ontario. Don't let us down." I fully agree with you: they should not let us down.

A lot of the funds that you took away from taxpayers—you were so obsessed that your big, corporate buddies didn't pay taxes that you forgot the others who need bread, accommodation, good schooling. They don't need 30 or 35 people in a classroom; they need lower class sizes. They need their young children and kids in daycare that they can afford—like the things Dalton McGuinty has put forward.

The applause that I heard for the new education plan that he put forward says that this is where the engine of this province will go. This is how we will benefit society, putting the money where it is deserved, not a lot of promises that talk about the money itself. We don't need promises, we need money and resources to build a waterfront that, as I said, will have the vibrancy and the economic benefit that not only Toronto or Nipissing or even baby BC but the world will enjoy. And while they're enjoying it, it's economically beneficial for us. While we are doing that, those people get work, they get a job and they feel as if this place belongs to them.

If we develop this, as I said, we want public access to it. We want to make sure we can look at it and say, "Yes, I was a part of that as John Public or Jane Public. Yes, I had a contribution to make here." Don't shove the people out. This government is good for this undemocratic way in which they behave, where they shut the public out, but I am going to have some hope that you will not do so.

**The Acting Speaker:** Comments and questions?

**Mr Christopherson:** I am pleased to rise and comment on and commend the remarks of my colleague from Scarborough-Rouge River. In particular, his closing comments made me reflect that it's important we understand the history of this project. There are reasons why the government is willing to spend money on this project. Historically, which was the point my colleague the member for Scarborough-Rouge River was making, given the fact that you have cut and attacked so many things that are so important, why do we have this day where you are now prepared to commit virtually hundreds of millions of dollars to one project?

Let's remember that this was very much tied to the Olympic bid, so you were dragged into this whether you wanted to be there or not. It was an opportunity for you to counter the reputation of being anti-Toronto, which you were, in my opinion, deservedly earning.

*Interjection.*

**Mr Christopherson:** Why? I say to the member in the back who is now so outraged, it's because all the issues that you hurt, that my friend has talked about in terms of housing, in terms of schooling, in terms of health, all those things are of an even greater magnification in Toronto because it's the largest urban centre in the nation. So when we have a crisis in education, a crisis in housing, a crisis in health care, yes, it's going to show itself in Toronto. Therefore it was quite easy for the average Torontonians to believe you didn't care about them.

Now, of course, you've got an opportunity. There will be lots of ribbons to cut, announcements to make, lots of money being spent, so there is a political win. Let's understand that this is not because you cared so much about Toronto and its future; it's because you were dragged into this politically and are trying to make the best of it.

**Mr Steve Gilchrist (Scarborough East):** I'm pleased to stand and offer some reflections on the member from Scarborough-Rouge River, who I think in the first part of



his commentary was both complimentary to the bill and quite correct in his suggestion that it is an initiative all three levels of government must pursue. I trust he will be applying with equal vigour his criticisms and his scepticism about the delivery on those commitments to his brethren in Ottawa.

His closing comments were not only inappropriate and, I would offer, unparliamentary because they weren't in keeping with the topic before us, but he is also just plain wrong, unless he is suggesting that there is some magical divide at Highway 401 and that his riding immediately north of mine is in some totally different universe. The picture he is painting about Toronto and the citizenry in Toronto and their current state of mind and the current state of their economy is completely, absolutely and utterly false. It falls into the category of absolute speculative ramblings by somebody who obviously, himself, is out to score political points.

I would invite the member opposite to cite the specifics. Tell me exactly how many constituents are coming in every Friday and contrast that with 1995. Tell the other members of this House today that you have more people coming in concerned about welfare issues and more people coming in today than in 1995 about housing problems. Tell me you've got more small business people coming in today and complaining about an incredible tax burden, government red tape and regulation run wild. I'd like to know the names of those businesses, I'd like to know the names of those individuals, and I'd like to know why, in all of these comments, you're suggesting the waterfront initiative isn't just one more example of the great investments this government has made in the biggest city in Canada.

1710

**Mr Gerretsen:** I would like to compliment the member from Scarborough-Rouge River for an excellent presentation, not only the first part but the entire speech. He not only dealt with the issue as to why this corporation has to be formed but also why it is so important for the three levels of government to work together on a project like this.

It's been my experience over the years that the most successful projects, particularly at the local level—and this will basically be a locally driven project. Any redevelopment project is, of its very nature, something that the community, the city, is finally left with. It's important for a project like that to have not only the support but the complete backing, financial and otherwise, of the three different forms of government involved. I think he pointed that out. He pointed out quite clearly why it is necessary for that to happen.

Also, at the same time that's happening, there are still so many people in our society who are a lot worse off than they were in 1995. An awful lot of people have just plain given up. The government used to be there for them at one time to give them a hand up or assistance when they needed it. A lot of these people have given up. It's as a result of that that you get situations like tent city and a lot worse than that throughout the province.

I can remember the very first year, when we came here in 1995, we certainly did not see as many people out on the streets in the middle of the winter as we see nowadays. To a certain extent we have almost become a little bit immune to them. Because we see so many of them, it doesn't have the same impact as it did then. Certainly the divide between the haves and the have-nots has increased dramatically over the last seven years.

**Ms Mushinski:** I am pleased to join this debate and respond to my friend from Scarborough-Rouge River. I like the member for Scarborough-Rouge River. I've known Alvin for almost 20 years now. I think he is a very good representative for his constituents of Scarborough-Rouge River, which sort of left me somewhat bemused by some of the responses to his speech with respect to waterfront regeneration from the NDP side, but I guess that particular diatribe is to be expected from the NDP.

But I'm also somewhat bemused by the comments that have been made by the member from Scarborough-Rouge River, if only because he tended to attack our government for some of the great initiatives we have taken that my friend from Scarborough East mentioned with respect to the regeneration of the Toronto waterfront.

Saving the Rouge would not have been possible without this government. Certainly waterfront regeneration would not be possible without this government. I would suggest to you that equal taxation across Toronto, which for years had been fought for by members from Scarborough—and certainly Scarborough council when you were an MPP, Mr Curling—was never addressed by the Liberal government but was addressed by us.

**The Acting Speaker:** Response?

**Mr Curling:** I just wish you had given me another 15 minutes to address some of those comments. In democratic terms, I would like to thank the member from Hamilton West for his compliments and his support. The member from Scarborough East, I don't know if his babbling that he was about was support or not. I know the member for Scarborough Centre was speaking tongue-in-cheek when she said, "Without our government we couldn't have the Rouge Valley." Oh, my golly. I remember the time when all three governments here played a very strong role in making sure that we had the Scarborough-Rouge Valley: the NDP, the Liberals in David Peterson's time, and over here. I know you went down the wrong road when you said that, but I'll excuse you on that point.

My friend from Kingston and the Islands made some comments and I also want to thank him for his comments.

If you are saying that the evidence is right there that we're building an economic and vibrant city at the waterfront, I want to say to all of you in the government that the lines at food banks are longer. I want to tell you that the affordable housing stock is lower. I will tell you that the gap between the haves and the have-nots is wider. The fact is that we need to pay attention to that.

If he is going to say to me that folks haven't come to his office to find out about their welfare cheques, you've scared the dickens out of them so much that they're even scared to come to a civil servant who is supposed to serve them. They do come. They're scared. They don't want to ask a basic question for jobs and so on. We are here to serve them at times. Sometimes they are scared even to ask for an OHIP card because they may be confronted. All I am saying is that we are here to serve. Make sure that in this revitalization you put the money there that will benefit all of us.

**The Acting Speaker:** Further debate?

**Mr Gilchrist:** Thank you to my colleagues opposite.

I rise today in support of Bill 151, the Waterfront Revitalization Corporation Act. As members of this House and hopefully folks watching will know, this legislation arises from the goal of all three levels of government—federal, provincial and municipal—to revitalize an essential part of the biggest city in the greatest country on the face of the earth. We have an incredible resource in the waterfront of the city of Toronto and a resource that for far too many decades has been poorly utilized, neglected, and in some cases has been an essential dumping ground for refuse and toxic waste.

For too many years, reports came and went that laid out very clear directions on how the thousands of acres of prime land in the downtown Toronto core could be turned around, instead of sitting fallow, instead of attracting nothing but vermin of the two-legged and four-legged variety. The bottom line is that finally all three levels of government have a common vision. They have all committed to \$500 million each that they will be applying to some bold and visionary projects.

The first issue they have to deal with is the very central core, approximately 10 kilometres of the waterfront from Coxwell at the one end to the Humber River at the other end, and focusing even within that area on the port lands and the areas in the very central part of the city of Toronto.

To anyone who has visited those lands lately, you will find that they are in most cases overgrown with weeds. There are still a few industrial facilities but they have largely been driven out of the city of Toronto because of the extraordinarily excessive property tax rates that the city has applied on its businesses—in some cases four or six times as much as the tax rate they paid when they moved to Markham or Mississauga or Pickering.

It really is sad from the perspective that we wouldn't have this problem before us today if the municipal government had been more responsible for the last 40 years in how it treated its prime taxpayers, the people who pay the freight more than any other category, in any municipality—not singling out Toronto. But because a corporation doesn't vote and residential taxpayers do, city of Toronto politicians took the easy path. They raped and pillaged the business community. They charged rates that gave business no choice but to pull up roots and move to Hazel's kingdom to our west, Don Cousens's

kingdom to the north and any number of other municipalities that set far more responsible tax rates.

That's not the fault of any party here. I'm not going to point a finger. We were all in power at the time I'm speaking about, when the city of Toronto councillors clearly ignored the reality. That reality is that you can kid yourself you're going to get the four-times or six-times-higher tax rate until the day that business moves out, at which point it's a vacant property. In most cases the building has been levelled. They get no tax assessment on any improvement and they get a paltry sum for the toxic dump left behind, in many cases. So the city has actually, ironically, driven down its tax revenue.

That's the kind of vision we have had for far too long from our municipal leaders here in the city of Toronto. We've transcended that, though, I hope, with the commitment by the federal government and the provincial government to put cold, hard cash into downtown Toronto. The city of Toronto, it is true, on paper, has committed for another \$500 million, but I think everyone in this place knows that they're trying desperately to make their contribution to be in kind. Maybe that means the per diem rates of the councillors and the mayor will be charged against this, if they get out of the way and allow for a rapid redevelopment.

**1720**

But again, we're faced with a very ironic situation, that the only level of government that will continue to benefit directly, most directly, will be the municipal government, because everything that's built on that currently empty land will start generating property tax again. And so it's a wise investment. I hope that ultimately the municipal government does more than pay lip service to this and makes tangible contributions to the project.

Mr Speaker, you're probably aware that a number of cities around the world in the last few years, major cities, have undertaken significant waterfront renewal projects. You can think of Canary Wharf, downtown London; proud to say, Canadian developers were the inspiration behind that breathtaking renewal in what was very similar to our port lands: abandoned, old industrial sites on the water. You'll find similar redevelopments have taken place in New York and in Barcelona.

In every case, an arm's-length development corporation was established to oversee that process, and while there's no doubt that the governments made a number of contributions, they took a step back and they made it very clear that micromanagement was not a job for the elected officials. We aren't architects. We aren't urban planners.

The corporation that we've envisioned here will have the resources to go out and cast as wide a net as they have to to attract the best and brightest minds, to have open competitions—public, transparent, open competitions. Out of that process, I have every reason to believe we are going to see some absolutely breathtaking developments on our waterfront.

You probably know that the first developments have already started, the ones that have been on the drawing boards for, in some cases, 20 to 25 years. One of the pro-



jects involves extending Front Street. Currently it terminates at Bathurst, and it will be extended all the way over to Dufferin, creating a considerable release valve for traffic in the vicinity of the SkyDome and east-west traffic generally.

It's also going to involve the construction of a new interchange on the Gardiner Expressway, and that, to anybody who has used that highway, particularly at rush hour, is long overdue.

The Front Street extension alone is going to cost \$170 million, and it has been recognized as an integral part of rebuilding the transportation infrastructure in the city of Toronto.

Over and above the Front Street extension, the projects also are going to include the redevelopment of the old railway lands. Here too, for those of us who have grown up in the city of Toronto, there was a time when the investments made by the railroads were paying big dividends. It was a far better utilized transportation resource. Aside from the GO trains now, and a fairly small number of riders on the Via line between Windsor and Montreal, there certainly is no need for tracks; in fact, there are 13 different tracks that currently occupy the land west of Union Station. So it's quite appropriate that we look at taking some of the surplus rail lands and redeveloping them. This will build on the private sector developments that have already started.

I think that anybody who hasn't visited Toronto for even the last year would be astounded at the amount of development immediately west of the SkyDome. There is literally a new city that has sprung up in what were completely empty, vacant lands for the better part of the last 20 years. Thousands and thousands of families have moved into that neighbourhood. They will all be patronizing the local businesses. They will all be paying property tax. They are all going to be stimulating the redevelopment of that part of the city of Toronto.

Clearly, government can't do it all. The private sector has already taken some very significant steps on lands that they control. Perhaps the biggest difference in what we're talking about here with the waterfront corporation is that there are vast tracts of land that, as a result of a number of decisions over the last 30 years, the various levels of governments own.

I think of the Ataratiri lands. I'm pained when I look at the dollars and cents the previous NDP government spent to acquire those lands, driving off, in some cases, legitimate businesses that were still viable, that were paying their taxes, that were employing hundreds of people, paying somewhere in the order of 40 times as much as the land was worth, putting in place none of the resources necessary for the cleanup and remediation of those parts of the land at the foot of the Bayview extension that had been the home of, in one case, a battery plant that had left behind it a legacy of lead and any number of other heavy metals and hazardous wastes. Our government has had to take on that responsibility, and I'm immensely proud that we have spent millions—in fact, tens of millions of dollars—cleaning up those lands.

But still, even having made those investments, after all the years that have passed and the inflationary pressures that you would expect to have driven up the price, the best guess, if we were to sell all those lands today at arm's length in any kind of a public and transparent process, is that we might get back 8% of the value Bob Rae put into the acquisition of those lands. Ninety-two per cent of the better part of \$800 million was flushed down the toilet. The taxpayers will never see that again. We can only hope that whoever benefited from that boondoggle spent most of those dollars back here in Ontario.

But the Ontario government now owns those lands. The municipal government and the federal government own a significant portion of the lands on the south side of Lake Shore Boulevard. The port lands themselves at one time were very viable and essential parts of the economy in Toronto. Many of us will recall many more mills and granaries that stood along the shoreline. We'll recall when there was a lot more freighter traffic coming into that port. Today, if my memory serves me correctly, Toronto ranks as something like the 43rd-busiest port in the country. There are small fishing ports in Nova Scotia that get more traffic than we do.

So clearly, by design or by historical evolution, the uses of those lands have to change. There is no longer the demand by the shipping companies to utilize that land for the purposes to which they were formerly put. But the federal government and the municipal government own a significant portion—almost all of the land in the Cherry Street area south of Lake Shore Boulevard.

We have the opportunity to be the architects—in a general sense, not a literal sense—of the long-term direction of all this land. The investment we're making, and the federal government and, hopefully, the municipal government, means there could be any number of new residential, industrial and commercial applications in that area. There could be a staggering number of new homes and apartments. There can be the equivalent of a large city anywhere else in this province developed and built over the next few years just on those 2,000 acres. We're confident that, in making this investment, in creating this corporation, that will be the result.

Another project that bears mention is the construction of the second subway platform at Union Station. There's no doubt: Union Station is the most important transportation hub in Toronto—in fact in the whole GTA. A second subway platform is going to provide literally hundreds of thousands of riders every day with a larger, safer, more efficient transportation facility, long overdue, and make it much easier and faster for them to get to and from work.

At the same time, we continue to hear the federal government suggest that there might be an opportunity to have a high-speed rail link between Union Station and the airport. I don't want to appear overly cynical; I guess I would only reflect that we've been hearing that same commitment for many, many years. But if it ever comes to pass—and there's no doubt the federal government has

the absolute control over railroads and it's within their power to make it happen—then there will be another important use for Union Station. It will become an even more important focal point of downtown Toronto.

1730

From the point of view of the expansion of Union Station, the corporation will be investing \$58 million. The goal is to have it completed in the next five years. When it's done, it will also be coupled with improvements in the GO Transit system that the province owns. So there is a role, I think, for all government not just to be involved in the funding of the corporation but wherever our various agencies and ministries touch on the activities in downtown Toronto to make sure there's a degree of coordination taking place that, historically, has not been the hallmark of our relations.

A moment ago I referred to the port lands. This is the third priority project I'd like to outline for the honourable members here today. We're investing a total of \$61 million in further environmental improvements: the cleanup and servicing of the lands that were contaminated by inadequate government oversight in the 1950s, 1960s, 1970s and 1980s. It's going to transform what is currently probably the most unsightly part of the city of Toronto into valuable real estate.

If you go only slightly east, to the site of the old Greenwood Racetrack, it is absolutely breathtaking what has happened on that piece of land. A drive-through just the other day revealed not just hundreds of homes but a vibrant community where every facility is close at hand, the beach is right next door and transportation is very simple and convenient: you've got streetcars and you're immediately adjacent to the start of the Gardiner Expressway. It has turned from simply empty land that once stabled horses as the only residential occupants to a community that now boasts thousands of residents: homes running to \$500,000, \$600,000 and \$700,000 at the high end, but at the other end there are very affordable apartments. So it's a balanced community.

I think we can look at that as an endorsement of the concept that, in that general area, it will be possible to build neighbourhoods, to attract people to make the investment personally, building on what the government does to clean up the land, to put in the municipal services, to develop the roads and make sure there's public transit, but ultimately it's going to take the public to make the final commitment and the final investment. There is no doubt they're going to do that, and there is no doubt the \$1.5 billion the three levels of government are investing will just be the tip of the iceberg. We envision that that investment will lever a public and private investment three to four times as great at least.

As we eliminate or contain any hazards to human health in that area, as we augment the park system down there—the Leslie Spit and other public facilities—to ensure that lands aren't just suitable for residential use but are attractive and will be the foundation for really livable communities, we're going to see some great changes in that area.

I'll quickly mention the fourth priority project that has already been developed by the corporation. That includes carrying out comprehensive environmental assessment work that will ultimately lead to major improvements at the mouth of the Don River. In this project, the corporation is envisioning spending \$2 million through the conservation authority on an environmental assessment that is needed in order to begin restoring the area at the mouth of the Don River.

Members will know that the current configuration of the Don is man-made. It is not in any way a reflection of how the river used to drain into Lake Ontario 100 years ago. There are a number of ideas on how we can take that fetid swamp at the bottom of the Don River and turn it instead into an important aspect of our park system and, in particular, an opportunity for another series of recreational uses—rowing, boating, fishing.

We've already saved the Rouge River from top to bottom. It is not beyond the realm of possibility that in our lifetime we can similarly address the pollution issues in the Don. My father certainly remembers a day when you could swim in the Don. I remember a day when you could swim in the Humber.

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** Baloney.

**Mr Gilchrist:** I do. Many a tadpole, many a field trip the school took down to the Humber River 40 years ago.

*Interjections.*

**Mr Gilchrist:** The bottom line is, there is an opportunity for us to reverse government indifference and a lot of industrial problems over the last century.

In sum, these are all extraordinary investments in the future of the greatest city in the province of Ontario. It's an investment in liveability in the city. It will stimulate great economic activity. It's going to guarantee some of our most valuable lands are turned around and put to good use instead of sitting idle as they have, in some cases, for the last half century.

**The Acting Speaker:** Questions or comments?

**Mr Michael Gravelle (Thunder Bay-Superior North):** Like my colleagues, I am very supportive of Bill 151. I think it's important legislation. It's unfortunate it's taken the government this long to move it forward.

*Interjections:* Oh, oh.

**Mr Gravelle:** No, it just is. I think it's fair saying that. It was sitting around on first reading.

But having said that, let me say a few things as a member from northern Ontario. Of course I'm the member for Thunder Bay-Superior North, as you know, which hugs the north shore of Lake Superior and may hug the entire north shore of Lake Superior. Those of us in northern Ontario have a bit of a love-hate relationship with Toronto, as you may know, which is that we think Toronto is an incredibly important city. It's probably the most important city and many of us, when we were young, would dream about actually going and living in Toronto. We're going to make it. We're going to leave the north.

**Mr Gerretsen:** You're here now.



**Mr Gravelle:** I am one of those who left Thunder Bay, may I say, to come to Toronto and then returned home. I realized I needed to be back in the north.

**Hon Mr Stockwell:** And we're glad for it.

**Mr Gravelle:** I'm glad you're glad.

It's an interesting relationship we have with Toronto. What we do recognize, and I think all of us recognize it as we get older, is that if Toronto does well and Toronto is succeeding, then it's a great benefit to us. But as I say, there are many challenges that we in the north face and we sometimes feel we're not doing as well, as a result of some of the situations here.

But I'll tell you, with the little time I have left, I still find myself somewhat irritated by the member for Scarborough East in terms of his tone. He spent some of his time actually criticizing the city of Toronto for their decisions or lack of decisions when indeed he made no reference whatever—his own sort of version of reality is fascinating—to the fact that the downloading this provincial government has done in terms of the city of Toronto and all across has really made it very difficult to meet some of these obligations.

His comments to the speech of my colleague from Scarborough-Rouge River calling it inappropriate were indeed in and of themselves inappropriate in that what he said in terms of the increase in homelessness and the increase in the use of food banks means there are some real challenges that are not being dealt with by this—

**The Acting Speaker:** Thank you. The member for Hamilton West.

**Mr Christopherson:** I appreciate the opportunity to respond to the comments of my colleague from Scarborough East.

It's interesting that again he employs the technique that some members of this government caucus, and he in particular, have perfected. I give them their due. Hopefully he'll perceive it as a left-handed compliment, but I give him that due. He talks about the problems with the NDP housing program. Fair enough—

**Mr Gilchrist:** I didn't mention housing.

**Mr Christopherson:** Affordable housing. You talked about purchasing land.

**Mr Gilchrist:** Ataritari.

**Mr Christopherson:** Yes. You've got to buy the land to put the housing on, so the two are connected. I'd have to check the Hansard, but I think you managed to squeeze "boondoggle" in there in your comments. If not you, certainly your other colleagues have tried to do that.

My point in raising this is that he employs the technique of pointing out where something is less than perfect, and that somehow alone is enough to justify whatever it is they do.

John Snobelen of course got caught out on tape implementing that policy where he was saying to all the bureaucrats in the Ministry of Education—and I'm paraphrasing—that they had to create a crisis to justify the things they were going to do. You did the same thing with health care, with home care in particular. In fact, virtually everything you touched, you started by pointing

out where it was less than perfect. That alone is not proof of anything. There are no perfect systems, no perfect programs, whether it's the NDP, the Liberals, the Tories, or whether it's the public sector or the private sector. Nothing is perfect. What matters is, what do you replace it with? Your policy on affordable housing was just to kill it, and you wonder why there's a housing crisis in this province?

1740

**The Acting Speaker:** Questions or comments?

**Hon Mr Stockwell:** Frankly, I don't think we need to get into all that. Ataritari, whether you thought it was a boondoggle or not, is really beside the point.

I think we all agree with this bill, I suppose, because—

**Mr Christopherson:** What are you talking about?

**Hon Mr Stockwell:** I don't want to get into it. Ataritari was a boondoggle. But I don't want to get into this debate, because I think we all agree that the lands we're talking about today need some very vigorous help. It's a shame that we have a city as well-developed and as nice as Toronto and have these parts of the city as ugly, decrepit and contaminated as they are.

Being a member of Metropolitan Toronto council, it was fairly clear that we didn't have the financial capacity to clean up the land. I think everyone would agree with that. I look to my friend Ms Mushinski, who also sat on that council and would know that we couldn't afford to do it. There had to be some kind of leadership among the senior levels of government.

To give this government its due—and I know it's going to be tough for you—the leadership came from this provincial government. They were the first to come forward with \$500 million to clean this property up. It's a non-partisan issue. I don't know anyone on that side of the House who would say that we shouldn't be cleaning it up. It's a jewel. It's the waterfront jewel that Toronto can turn itself into. It isn't Harbourfront, which was supposed to be the jewel and turned into an unmitigated disaster, in my opinion.

Speaking as a local councillor at the time, our opportunities here are great. I want to see as balanced a committee as we can put in place. I know I supported a lot of NDP initiatives on council, because I think from the planning point of view and the Planning Act, they don't have bad ideas. Some of them are very good, and I agreed with them.

In as non-partisan a way as we can go, we're spending half a billion dollars to invest in the Toronto waterfront. We should be sure that it doesn't end up like Harbourfront. That's not what anyone in Toronto wants. If we can develop this in a way that's presentable, it can rival any waterfront in the world and—forget the world-class city—just make Toronto a better place to live.

**The Acting Speaker:** Questions or comments? If not, response?

**Mr Gilchrist:** I appreciate the comments from all three of my colleagues.

I think the member from Etobicoke Centre hit the nail right on the head. This is a non-partisan issue. No one, I

am sure, at least no one who has taken the time to visit those lands, is going to suggest that this money is not necessary.

To the member from Hamilton West, I hadn't mentioned your housing program. I mentioned the land acquisition that ultimately might have led to building houses, but you never got the second half of that equation. As you know, I'd be happy to debate at any time that failed policy.

But in this area, I think it's important to stress the fact that the money is required. The money has been pledged by the province. We took a leadership role. Ottawa has gotten onside, the city has gotten onside, and the actual formal establishment of the corporation is the last step needed to launch this initiative.

I want to put one thing on the record, though, here tonight. While I respect the fact that you have to walk before you run and I respect the fact that the lands that are most in need of intensive remediation are the ones in the downtown core, I have said to Mr Fung and I will continue to say on behalf of my colleagues from Etobicoke and Scarborough that the waterfront does not run from the Don to the Humber; it runs from Etobicoke Creek to the Rouge River. I fully expect that the important initiatives on the Scarborough waterfront and the Etobicoke waterfront will receive their due consideration as well in the fullness of time.

In the short term, though, the four projects that have already been announced will deal with some significant transportation issues and environmental problems and will be the precursors to the development of all sorts of new housing. And it will include affordable housing, I have no doubt. All three levels of government have a commitment to turn this into the jewel of Toronto, the jewel of this province.

I hope the members will support the bill at second and third reading.

#### **The Acting Speaker:** Further debate?

**Mr Gerretsen:** I too am very pleased to join the debate on this bill. Just to pick up on a comment that was made by the Minister of the Environment, I totally agree with him that on a major project like this, the only way it's going to work is if you not only get the three levels of government working together and committing funding together and all the various expertise that each individual government level can bring to the table, but what's also important is that people will have to put their ideological blinkers off to the side, or their ideological spheres.

It's always been my impression that when you're dealing with a major problem like this—at least it was at the municipal level—what solves issues like this is if you bring people together who are truly committed to working on a problem and getting that problem solved.

I can remember back in the Kingston area, back in the mid-1980s, we had a housing crisis there as well. We brought a group of people together, people with left-wing ideas, right-wing ideas, down the centre, whatever, and these people all had one thing in common: they wanted to do something about the housing situation as it existed

then. As a result, they all worked extremely well together, and they even changed their minds about various aspects of the problem they were dealing with. The end result of the whole situation was that it was unanimously agreed at the end, between the so-called right-wing developers and the left-wing activists, that a municipal housing corporation should be set up, which was the first time that had happened in the city of Kingston, and housing was built as a result, and various other initiatives as well.

What made it so successful was that people literally left their ideologies at the door when they went into a meeting, dealt with the problems and the issues the way they were presented, and were able to work it out. And it's the same thing here, on a much larger scale.

I suppose I've been coming to Toronto, sometimes by train, for the last 30 or 40 years—30 years anyway. And it always amazed me that when you come into Toronto—first of all, you get Pickering and Ajax, nice communities along the tracks. Scarborough is fairly nice too. And then as soon as you hit the old city of Toronto, right past the racetrack that the member was talking about earlier, the Greenwood racetrack, the area there has been desolate—well, you can give it any descriptive word that you want, but it has been barren and probably toxic and derelict for many, many years.

Whoever it was that got everybody onside—I mean, quite frankly, I don't care who wants to take credit for it. Of course in the political scheme of things, people always want to take credit for whatever they're doing. The bottom line is that in the end, people aren't going to remember that once the project is completed. It will take 20 years, according to the legislation, for this corporation to in effect deal with the entire situation. It is a massive undertaking when you're talking about potentially a \$12-billion project that will require government funding at all levels, and also private funding etc. All that people will remember afterwards is the notion that somebody somewhere, 20, 25, 30 years ago, started the ball rolling to get rid of these derelict areas.

The only question I have—and I know the members on the government side are not going to like this. They're going to say, "Oh, here he comes again," but I really don't understand. This bill was first introduced last December. We've had many sitting days since then, both day and night. Why is it that only now this bill is being given second reading? I don't understand this.

We've been back here now for a week and two days, and it seems to me that every piece of legislation we're dealing with has been on the table for at least a year, or almost a year, and nothing has happened to it.

You may recall we had the Family Responsibility Office act that we dealt with last week, the interjurisdictional dispute aspect of it, or the enforcement aspect of it. That was another bill that was given first reading some time last November, December, and nothing happened to it. It was also a bill that was supported by everybody. So if bills are supported by members on all sides of the



House, why do we wait a year before giving them second reading?

1750

I guess the conclusion you can come to on an issue like that is the extent to which people are really committed to it. To what extent is the government really committed to this process? A lot of money has been announced; a lot of announcements have been made by all levels of government. The feds are just as guilty of this as the provincial government. If you ever had all the money that was announced from time to time, each government could probably have about three times the budget it actually works under. Announcements are wonderful, but they don't really mean anything. The only thing that means something is if the money is actually being put to work, in this case, for example, to deal with some of the toxic problems these lands contain.

I think it is relevant to talk about the more general issue, and that is how our municipalities have been weakened by this government. Our municipalities over the last four to five years have been asked to take on more and more responsibilities, whether you're talking about social housing or transit—remember how that was totally a municipal responsibility and now the government is coming back into it a little bit?—or whether you're talking about a lot of the social services out there. Municipalities and municipal taxpayers simply cannot afford all this. I think that is relevant. That's not only a problem for Toronto; it's a problem for my city, Kingston, and it's a problem for Frontenac Islands, which I represent as well, and I'm sure it's a problem for Thunder Bay, Hamilton, Windsor, Ottawa and just about every municipality that's out there.

What it all basically boils down to is that one level of government wants to look to the general taxpayer better than another level. In other words, if we just give all these responsibilities to municipalities, we can somehow at this level look better, because we can cut your taxes to some extent. There's even a great debate as to whether you should have done that. Perhaps you would have been a heck of a lot better off if you hadn't cut those taxes and had put them into quality education programs or quality health care and long-term-care programs.

I am absolutely convinced that the disparity between the haves and the have-nots in this province has widened tremendously over the last seven years. Somebody can get up and say, "It also happened in the five years before that or in the 10 years before that." I don't know about that, but I do know that over the last seven years there are many more poor people who have basically given up on the system completely. That's why I think it is very important that a major project like this has a large affordable housing component to it. I think it's absolutely essential that if we ever want to do something about the problems relating to homelessness and poverty, then we need the two senior levels of government to get re-involved in the housing scene. You cannot simply say, "We'll somehow leave it to the private sector; we'll

somehow leave it to local municipalities," because they don't have the wherewithal to do it.

I have a few seconds left. My time has been severely limited by the magic of our new rules, which basically state that after so many hours, the debate time is reduced to 10 minutes, and then after a while it's reduced to absolutely nothing. Now closure even exists in this House without a closure motion being made. If you think about it, at one time you could stand in the House as long as you wanted to on any issue and talk out the clock. We've slowly eroded those rules as well by saying, "We're going to limit debate after this many hours," and that sort of thing.

This is a good bill. I would just urge the government to get on with it. Let's have second and third reading. Let's get them going. Let's clean up the mess that's out there.

**The Acting Speaker:** Questions or comments?

**Mr Christopherson:** I want to commend the member for Kingston and the Islands in reflecting on the Toronto project, particularly as he linked it back to his own community and mentioned a number of others, mine included, Hamilton, in terms of the waterfronts we have and the importance of them.

I want to pick up on one point he made, and I think it was one of the strongest points of his comments this evening, which was that you can make all the announcements in the world, but what really matters is when you get the dollars out there, actually putting shovels into the ground. He specifically mentioned cleaning up toxic land.

The reason I want to touch on that and comment on that remark is that in Hamilton the beautiful waterfront we have now—I encourage anyone who hasn't yet seen it to take an opportunity, if you're near Hamilton, in Hamilton, to see the waterfront and get an idea of what you can do in terms of reclaiming beautiful vistas that belong to and should be shared by all the citizens in a given community.

What happened was that we had a piece of property that was used as industrial—it's called the Lax property. Thanks to the leadership of then-Alderman Brian Hinkley and Bruce Charlton, who I would mention parenthetically is the younger brother of the former cabinet minister and MPP from Hamilton Mountain, Brian Charlton, led the charge. At that time, they were being written off as sort of, "Come on now, you're not thinking about the economics." They made the argument that this land is critically important for future citizens to enjoy all the city has to offer. They were the ones who discovered the land was toxic. Suddenly industry didn't want it and the only reason we have the waterfront we have is because the NDP government came along and provided the \$10 million to clean up the land. That triggered millions of dollars of investment and enthusiasm in our community unlike any other single project.

I compliment him on his remarks. He's dead on this evening.

**Mr McDonald:** I enjoyed hearing the member from Thunder Bay-Superior North talking about how great northern Ontario is. I come from the riding of Nipissing that extends from Trout Creek up to North Bay and over to Mattawa, and we live between two lakes. One is Lake Nipissing and the other is Trout Lake. I can tell you that there should be a motion on the floor to make Lake Nipissing the sixth Great Lake of Ontario.

I listened to the member from Kingston and the Islands. He speaks of co-operation and about maybe not taking credit. Every time they stand up, we hear, "We support this, but." Great things do happen when nobody tries to take credit. When you see all three levels of government standing together for the betterment of Ontario, for the betterment of Toronto, I don't see anyone trying to take credit. I see everyone trying to do the right thing, and doing the right thing is more important than trying to get credit for situations that help the people of Ontario.

I'm proud to stand up and say that this is a good bill. This is good for all Ontarians. This is a bill that needs all-party support. In the end, you're right, nobody's going to remember who led this charge or who's taking credit for this. All they're going to know is a good thing happened when all three levels of government came together to make this a reality.

I think back to the city of North Bay going through the same challenges, and I hope all three levels of government will come to the aid of the city of North Bay and the district of Nipissing to help them with their waterfront, to bring prosperity, growth and economic development to northern Ontario.

## ADJOURNMENT DEBATE

**The Acting Speaker (Mr Michael A. Brown):** Pursuant to standing order 37, the question that this House do now adjourn is deemed to have been made. The member for Hamilton East has given notice of dissatisfaction with the answer to a question given on Monday by the Minister of the Environment. The member has up to five minutes to debate the matter and the minister, or his parliamentary assistant, has up to five minutes to reply.

## HAZARDOUS WASTE

**Mr Dominic Agostino (Hamilton East):** I rise here today as a result of a question I asked the Minister of the Environment last Thursday regarding a very serious issue, an issue that affects not only the people of my riding where the incinerator SWARU is operating, but also affects the good people of Glanbrook in the riding of Stoney Creek represented by the Minister of Labour.

Between 1995 and 2000, thousands of tonnes of hazardous waste material from the SWARU incinerator were dumped in the landfill site in Glanbrook. The government let this go on unchecked for a five-year

period. They only became aware of it in October 2000 because the new company that was running the incinerator came forward with these concerns. The ministry then launched an 18-month investigation that did not result in any charges being laid.

## 1800

This matter was then tossed over to the police for review. The police reviewed the file. Here's what the police said. Sergeant Mark Simchison who was in charge of the review said, referring to the Ministry of Environment, "Their decision not to lay charges due to insufficient evidence was in my mind quite questionable. They left a lot of questions unanswered and it was clear that a lot of investigative ground still needed to be covered—investigative ground that would best be covered by the MOE itself under its own provincial regulatory authority. In fact, this was not done."

He went on to say, "Throughout the period from 1994 to 2000, the entire fly ash analysis and dumping operation went unchecked by ministry abatement staff. That should not have happened and I don't know why that happened. I don't perceive the police to be an accountability mechanism for another body whose own practices fail to meet their own internal standards."

The Ministry of the Environment responded by saying it thought it had done a good job on this. Spokesman Terry O'Neill from the enforcements branch said, "I believe it was thorough, I believe it got to the point and I believe it's answered the questions."

O'Neill went on to say that the government has no intention of re-opening the investigation, primarily because the ministry admits the statute of limitations for laying charges is now up.

These are some of the most stunning indictments we have heard in this Legislature in the past seven years about the role of a ministry agency in carrying out an investigation. This is an experienced fraud investigator with the Hamilton Police Service, a well-respected police officer, who has made these comments.

When I asked the question, the Minister said there would still be the possibility of a police investigation. He said it is up to the police to decide whether to proceed with a criminal investigation. Well, the reality is the police reviewed the file. They decided there were no grounds to lay charges. They have now returned the file to the city of Hamilton. The same answer will come back. There will not be a police investigation into this.

The minister committed to an internal review last week. The reality is an internal review is not good enough. We know they can't lay charges now. We know the police have said there's no ground for a criminal investigation, but we know there was a massive screw-up by the Ministry of the Environment in allowing five years of unchecked hazardous waste to go into a landfill site in Glanbrook, potentially harming and affecting the people in that neighbourhood. The Ministry went for five years without once checking, without once investigating. It is unheard of that this would happen in Ontario, but it has



happened under this minister, under his watch, under his predecessors.

The reality is that the ministry was aware of this. I sent a letter to Minister Newman in October 2000. He ignored it. This particular minister here denied my request to the Environmental Commissioner for a review of this matter as late as a month ago.

My question I guess is, why is the government afraid to order an independent investigation into the mishandling of this file? We don't need an internal review. We don't need Chris Stockwell's lackeys covering up for his incompetence.

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** Oh, I have no lackey.

**Mr Agostino:** The reality is—he can take all the shots he wants—that they have put the people of Glanbrook in jeopardy and they don't care. They have hung out their Minister of Labour, Brad Clark, who has to answer questions from his constituents about why this government, this minister, won't launch an investigation. They have totally abandoned any sense of responsibility in a very serious matter.

The government and the minister may think it's a joke. They'll get up and make some comments to be humorous and to deflect. The reality is you can't deflect the responsibility. It was a massive mishandling of this file by the Ministry of the Environment. That has been admitted. I'll take the credibility of the police officer investigating this over this minister, or his staff, any day.

We're not going to give up. This minister can give up on the people of Stoney Creek and Glanbrook. He can hang his Minister of Labour out to dry with his constituents, but I'm going to continue fighting for the good people of Stoney Creek to get this case resolved.

**Hon Mr Stockwell:** I am happy to see that the member—I read it in the local paper—has got over this dial-a-quote stuff and he's not going to treat every issue the same way. It's a serious matter and we need to deal with it very seriously and not respond by making allegations of lackeys of ministers and personal comments like that. I'm glad you've gotten over that. In the Hamilton Spectator, you told them on April 12, 2002, that you got over it. You don't want to be like a monkey with a shotgun any more. It seems the only thing missing today is the shotgun.

Let's deal with the reality, the facts of the case. An internal review of the investigation is underway by the ministry. The director of the investigations and enforcement branch will be reviewing the investigator's files. The legal services branch of the ministry will also be reviewing the investigator's files, and we wanted to ensure that the report, the evidence and conclusions were gathered and documented in an appropriate and timely manner consistent with other investigations. After the investigations and enforcement branch has reviewed their findings, they will be reporting back to me, as minister.

The ministry did not lay charges due to the lack of evidence to substantiate charges that hazardous waste had been dumped at the Glanbrook landfill site. You know

that. The period in question was between 1994 and 1997. SWARU had a process in place to stabilize the fly ash from the incinerator. You knew that too. The process made the fly ash non-hazardous so it couldn't be deposited in the Glanbrook site. You knew that too. The ministry did a routine inspection in 1999 at SWARU to assist in addressing odour and particulate complaints. The city corrected the problem. I think you were there, weren't you, in that period?

**Mr Agostino:** No. I was here.

**Hon Mr Stockwell:** You were around in 1994.

The ministry began the review in July 2000. Upon inspection by the ministry, it became evident that potentially hazardous ash from the incinerator smokestack had been dumped in a non-hazardous landfill site—potential—without being adequately processed. We admitted to that. Yes, we've got to look into this. It's a potential.

We brought these concerns to the city immediately and then the ministry also recommended an investigation. This went to the investigations and enforcement branch. You knew that too.

The site operator initiated its own investigation as well. While the investigation was taking place, a comprehensive review by the ministry requested under the EBR, continued. The review involved testing fly ash, ensuring the stabilization process was effective and leachate monitoring at the Glanbrook landfill site. There was no evidence, I repeat, no evidence of any human health or environmental impact. You knew that too. It also indicated there was no hazardous waste present. You knew that too.

The review, which lasted one full year, did indicate a need to update and strengthen the certificates of approval, address odour concerns, particulate, stack concentration limits and more frequent monitoring and testing of the site. The issuing of an amended C of A is imminent. It was posted on the EBR for the 30-day period which ended August 21, 2002, and the member Dominic Agostino knew that as well.

The Environmental Commissioner commented on this. He said: "Depending on what kinds of changes are eventually made of Cs of A for SWARU, the result of this EBR review will be a modest environmental success story. The ministry, for its part, made a good decision in agreeing to carry out a review under the EBR. MOE staff completed a thorough review of SWARU operations, and should be commended for their detailed recommendation to strengthen the C of A for the incinerator." That's the Environmental Commissioner suggesting that. You knew that too.

**Mr Agostino:** You're on the wrong briefing note, Chris. Turn the page.

**Hon Mr Stockwell:** You know why he says it's the wrong briefing note? Because he knows this. He doesn't like the facts. He wants to stand up like that monkey with a shotgun, make a whole pile of allegations that he knows aren't true, and then spear-monger in the community. But he knows this.

The investigation into whether or not hazardous waste had been dumped at Glanbrook between 1994 and 1997 took two years to complete. You knew that. Testing at Glanbrook indicated that there was no evidence of hazardous material. You knew that. This meant that the investigator had to rely on witnesses—eye witnesses—present at the site during this period. The investigator concluded that there was insufficient evidence to lay charges, as testing indicated there was no hazardous material and no off-site human health or environment risks. Update: listen, Dominic, I don't want you to go back to Hamilton and make these allegations. It's very important you listen.

We are currently amending the C of A to strengthen it and make it more enforceable. An amended C of A is expected very soon. SWARU is going above and beyond

what the current C of A says and is testing their fly ash daily and analyzing it weekly. Nothing is deposited in the Glanbrook site until it is confirmed as non-hazardous. Ongoing monitoring of the site by the city and ministry officials continues to take place. Each load of ashes that is put into the site is precisely identified so we know exactly where it is for any future reference.

Don't go home and say you don't know this, Dominic. You know it. You sat here. Don't go home and tell them you don't know that.

**The Acting Speaker:** There being no further matter to debate, I deem the motion to adjourn to be carried. This House stands adjourned until 6:45 of the clock.

*The House adjourned at 1810.*

*Evening meeting reported in volume B.*



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Troisième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 1 October 2002

Mardi 1<sup>er</sup> octobre 2002

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers



Président  
L'honorable Gary Carr

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 1 October 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 1<sup>er</sup> octobre 2002

*The House met at 1845.*

### ORDERS OF THE DAY

#### VICTIM EMPOWERMENT ACT, 2002 LOI DE 2002 SUR L'HABILITATION DES VICTIMES

Resuming the debate adjourned on October 24, 2001, on the motion for second reading of Bill 60, An Act to give victims a greater role at parole hearings, to hold offenders accountable for their actions, to provide for inmate grooming standards, and to make other amendments to the Ministry of Correctional Services Act / *Projet de loi 60, Loi visant à accroître le rôle des victimes aux audiences de libération conditionnelle et à responsabiliser les délinquants à l'égard de leurs actes, prévoyant des normes relatives à la toilette des détenus et apportant d'autres modifications à la Loi sur le ministère des Services correctionnels.*

**Ms Marilyn Mushinski (Scarborough Centre):** I'm pleased this evening to join in this discussion and to speak in favour of the passage of Bill 60, the Victim Empowerment Act.

I view this bill as a continuance of our government's ongoing commitment to public safety. Previously the government has passed legislation that supports victims through all stages of the legal process. For instance, we created the Victims' Bill of Rights, we expanded victims' programs, we made it easier to bring civil suits against offenders, and we launched an office for victims of crime, staffed by crime victims and front-line justice professionals.

Let no one question this government's commitment to supporting victims of crime. That is why I am asking all members of the Legislature to support quick passage of the bill that's before us, and I'm sure that the member for Trinity-Spadina will join us in supporting very quick passage of this bill.

All you have to do is speak to constituents, especially like those in my great riding of Scarborough Centre, which I like to consider as the centre of the universe, to know that there's wide support for initiatives to empower and protect victims. For instance, my constituents are all in favour of keeping a closer watch on inmates so that they don't use their telephone privileges to harass people that they have already victimized. I would like to thank

the Minister of Public Safety and Security on behalf of those constituents for bringing this legislation forward.

This bill, if passed, will allow victims to participate in the Ontario Board of Parole hearings. Before parole is granted, the victims of the crime will actually be given their say so that the parole board will be able to hear in detail what effects crime has on its victims. This, I believe, is an extremely important step forward.

The government has instituted a free victims' support line so that victims have access to a wide range of information if they choose to register. In this way, victims can be informed of the date, the time and the location of any parole hearing.

Actually, the Victim Empowerment Act goes further. It would allow for the establishment of grooming and appearance standards for provincially sentenced inmates for safety, security and health reasons.

As well, the bill would introduce a new zero tolerance policy for acts of aggression or violence against all correctional staff.

Altogether, this is a very good bill, and I'm proud to support it and encourage my colleagues on both sides of this House to give this bill the speedy approval it deserves.

**The Acting Speaker (Mr Michael A. Brown):** Questions or comments?

1850

**Mr Rick Bartolucci (Sudbury):** I thought the member might go a little while longer so I was intently listening to what she had to say, because—do you know what?—this is a rather important bill. I think issues of public safety are always very important and we must discuss them fully.

The member asks for speedy passage of this bill. I only wish the government—this bill, I think, has been around since approximately May 2001, if I'm not mistaken. I may be a little off here. It is now the property of the Minister of Public Safety and at one time was the property of the Minister of Correctional Services. It's important that people generally feel confident in the system which is put in place to protect them and to ensure that issues of justice are dealt with in the appropriate manner.

During my speaking time, I will be zeroing in on an issue of, I believe, common concern to all members of this House with regard to the issue of the murder of Constable Joe MacDonald, amongst other things. Certainly I would suggest to the member who just finished speaking on the government side that she be talking

to her caucus and to the cabinet if she wants speedy passage here, because I don't know that they'll see such major opposition on this side. I'll be offering a couple of amendments to the Victim Empowerment Act, only because I think they will strengthen it, and I would hope the government would listen to the recommendations that I'll be making.

I look forward to full debate on the government side this evening.

**Mr Rosario Marchese (Trinity-Spadina):** It was amusing to hear the member for Scarborough Centre talk about her commitment to public safety and the government's commitment to public safety. She asserts, "Let there be no one who would doubt our commitment to safety," something to that effect. She cites the Victims' Bill of Rights as one of those bills that she's proud of as conferring upon victims rights, but that we all know have given so little by way of rights. We all know, and what's laughable is they know too. Yet, even though they know there is nothing in the bill that really gives rights to the victims, they still trumpet that one as one of their highest achievements.

I say to you, the member for Scarborough Centre, you've got to at some point say, "Gee, I know we heard the opposition tell us. We heard Judge Day." The Attorney General is here—he knows too—and he'll probably trumpet it out as well as you, the member for Scarborough Centre. Judge Day said the bill gives no rights. Your lawyers from the Attorney General argued that bill conferred no rights on victims. Yet the member for Scarborough Centre, walking to and fro here in this House—said proudly, "We have a strong commitment to public safety. Witness our Victims' Bill of Rights."

*Interjection.*

**Mr Marchese:** You understand, David. It's funny. If it were not so stupid, I would just roar with laughter. As you get older, it is tougher to laugh at some of the assertions made by this member, but we'll be speaking to that later.

**Hon Robert W. Runciman (Minister of Public Safety and Security):** I didn't contemplate making a response tonight, but I want to compliment the member from Scarborough who spoke—

**Mr Marchese:** She didn't say anything.

**Hon Mr Runciman:** Well, you know, what really encouraged me, I guess, to get to my feet was the NDP member being critical. I have to say that I think the NDP member was a member of the NDP government at the time when there was a victims' bill of rights put before the House as a private member's piece of business by the member for Burlington, and that government voted it down. And he has the gall to stand up here this evening and criticize this government, a government that has done more for victims and victims' rights than any other government in this country, no question about it.

I travelled to New York with the families of Ontario victims of the September 11 attack. I talked to people from Quebec and other provinces and they admired, they complimented, Ontario for what we were doing with

respect to our treatment of victims of crime in this province. The federal government isn't doing it. No other jurisdiction in this country is as responsive to the concerns of victims of crime as the Progressive Conservative government of Ontario.

**The Acting Speaker:** Questions and comments?

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** I also listened with interest when the member from Scarborough Centre made her introductory remarks, and my understanding of the bill and its intent is certainly to improve conditions for victims that will make them a part, for example, of parole hearings of people who have been incarcerated for action against them. I believe on this side of the House we're certainly in favour of advancing those types of laws, supporting that type of law. As my colleague from Sudbury has indicated, there will be amendments offered from this side of the House, we would suggest, to strengthen this legislation.

I also want to speak to the bill in terms of what it will do to support and assist the people who work in our corrections facilities and the role they have. There is a corrections centre in my riding, and of course during the recent labour disruption, the OPSEU strike, I had the opportunity to regularly visit that facility and talk with people on the line about the role they have in detention centres in this province. It's a very important role, and I would suggest that anything we might do in this chamber, any law we might implement that would assist them and not only improve their working conditions but certainly improve the safety of their work, is to be supported as well. So as my colleague from Sudbury would suggest, and the comments from the member who spoke first from the government, I don't think it is the intention of the opposition to in any way stall or hold up this legislation. If the member is intent on having it passed in a speedy fashion, she should speak to the people who determine those things on her side of the House.

**The Acting Speaker:** Response?

**Ms Mushinski:** I'd like to thank the members for Sudbury, Trinity-Spadina, of course the great member from Leeds-Grenville, who I believe happens to be the single best Minister of Public Safety—

*Interjection.*

**Ms Mushinski:** —if you're listening, member for Trinity-Spadina—and Security, and there's a very good reason for his having that title. I would like to thank the member from Hastings-Frontenac-Lennox and Addington for her thoughtful comments as well. We spoke yesterday about the issue of safety and the jurisdictional notes—I can't remember the exact title of the bill at the moment—and we spoke about protection of children especially, and most certainly I would add my comments to suggest that the member for Sudbury has contributed a great deal to ensuring that this government does indeed ensure and maximize our priorities with respect to the support of victims of crime, especially children.



I am somewhat bemused by the member for Trinity-Spadina, who would suggest that this government does not consider victims' rights as a top priority, this coming from the same government that made the deal with the devil. Having said that, I would suggest that we are the only government that really cares about victims' rights.

1900

**The Acting Speaker:** Further debate?

**Mr David Ramsay (Timiskaming-Cochrane):** It's a pleasure to rise in my place tonight to speak to this bill. I'll be sharing my time, to the table officers, with the member for Sudbury. It also gives me an opportunity to congratulate the member for Sudbury for the work he has done with the JOEMAC committee in working with citizens in the Sudbury area and the whole region there about how the murderers of Joe MacDonald have been treated by the federal correctional system. He has played a very strong leadership role there in making sure that justice is done.

I just want to comment that the member for Trinity-Spadina had mentioned the reference to the Victims' Bill of Rights. I think why he was a bit aggrieved is that, of course, as we all know, the province does not have the power to confer any new rights upon any of its citizens; that is the purview only of the federal government. Maybe the point he was trying to make is that we should be cautious with the hyperbole we use in the titling of our legislation in this place. We, as the second tier of government in this country, cannot confer rights upon people, no matter how well-intentioned we are. We all do have to work together, and we can certainly empower victims, as this title talks about, and that is a laudable cause. We certainly support most of what is presented in this bill. Victims have been ignored for far too long. As I go through the bill, I see no reason not to support this. I would support my colleague who previously said that, really, it's up to the government to call this. Nobody is holding this bill up. If we can pass this as soon as possible to help victims out there, we'd be quite happy to do that.

As of late, I find many of my constituents have been victims of another type of crime, and not by perpetrators of the criminal type, but more of the corporate type. One of the biggest issues in my riding, where people feel very victimized, is the application of Union Gas to the Ontario Energy Board for the retroactive increase for transportation and gas costs dating back at least two years. My people feel victimized because they don't really have a say in that. A hearing takes place before a board; it took place in Toronto, where the main consumers of this particular company reside in southwestern and northern Ontario. But those hearings were held in Toronto, and now we find that the consumers of this particular company are being victimized by a bill that will be coming to them soon, now I hear spread over a six-month time period, that is going to really hit people in the height of—

**The Acting Speaker:** Maybe we should be closer to the actual bill we're debating here. I would just bring you back to that.

**Mr Ramsay:** I was just trying to talk about another type of victimization. As I've already said here, I certainly have no objections to this bill. I can lend my support to this. I was just talking about another type of victimization that I feel also is taking place and that, I suppose, at this particular moment is of very high concern, I know, for the people I represent. From what I hear from my colleagues from all around the floor of this Legislature, it is also a big concern. That is multiplied by, I suppose, the cascading increases that are happening in all the bills that are coming upon people today. It's not only Union Gas; it's also electricity. With another bill that's going to be passed, it may happen also with water rates from municipalities.

I suppose I equate this to be a type of victimization, because these are products that people cannot do without. They are basically stuck. They have to have these utilities, because they are public utilities. They are the essentials of how we run our households now. So people feel very powerless in dealing with these things, because not only in this case is a private company able to go back like no other company I can think of in any other sector of the economy—they can go back for two years and basically say, "The product I sold you two years ago, that you consumed and you rightfully paid for at the agreed-upon price, I now state that I want to charge you more for it, and I can do that retroactively."

People feel terribly victimized by that. I can tell they feel victimized because of the anger they are expressing. It is an incredible anger. In fact, I thought there were a lot of issues that maybe they wanted to speak about in the last few weeks and they tell me that's what they want to speak about. Those are the issues I'm addressing when I'm back home every week. They don't like it.

I think we have to revise the way we regulate our public utilities here in the province. We have an Ontario Energy Board that's supposed to do that job. Quite frankly, I think we have to get away from these political patronage jobs and probably put in a retired judge who isn't part of the judicial system and the criminal justice system that I know we're talking about here tonight. Possibly a retired judge might be the appropriate person, like we have for our Integrity Commission; a similar person with similar experience like that.

We also have to make sure that we put the resources in that Ontario Energy Board. That is very important so that we can basically take a look at how we are going to regulate utility bills for the citizens of this province and make sure they're not victimized by a public company or a private company in dispensing the public utilities that are required by all households and businesses in Ontario.

Many members have come forward today and talked about dairy farmers and businesses who basically feel victimized because they are trying to carry on a business. In this case, I think somebody very close to you, Mr Speaker, talked about dairy farmers today and how they

feel victimized and the tremendous increase in the bills they are getting and that they don't see any recourse. They don't see any justice and they don't see any victim empowerment they would be eligible for in this particular case.

I think we have to empower consumer victims as we do victims of criminal acts. We have to make sure that we strengthen those types of consumer protections so that people are not victimized by these types of rate increases. In this case, the government is complicit in this, because it's an agency of government, in this case, the Ontario Energy Board, that has been part of this. That is why people are so angry, because it's not just a private company going to people and saying, "You owe more for something you paid for and consumed two years ago," but the government is a partner in this. The partner has agreed to this and is in fact enforcing it.

I'd ask the government, as I did in a letter over a week ago to the Minister of Energy, that it put an end to this victimization; that he empower consumers of utilities of this province, in this particular case of natural gas, and overrule that hearing so that people will not feel victimized by that and can go on and pay forward for the gas they consume and plan for that and that they no longer have to be victimized by retroactive rates. I think that is something we should do.

The same thing was brought up today as far as hydro rates, another utility bill that is victimizing the people of this province. That's very important, and again the government has the power through the legislation that we passed here for a rebate system. The guarantee was 3.8 cents a kilowatt hour; anything over that would be rebatable by the government for the interim period of the phase-in of these so-called new energy reforms that don't seem to be working. That's something we need to be doing.

I just wanted to bring to the House tonight another form of victimization that people in my riding are talking to me about. This seems to be top of mind, when I return to the riding, that people want to talk about, and we need to do something about it in this House.

1910

**Mr Bartolucci:** Thank you very much to my colleague who has outlined another form of victimization, and indeed it is victimization.

I'd like to concentrate a little bit on Bill 60 for the next little while before I talk about JOEMAC, and then I'll go into the document *A Voice for Victims*, and then I think I'd like to outline what my beliefs are about what the development of provincial victim service standards should be.

Bill 60 is an act to give victims a greater role at public hearings. Certainly I'm in big support of that. I think that victims have been victimized far too long by the system. The system didn't want to victimize them but in fact it did. Bill 60 addresses a recommendation that the Office for Victims of Crime made to the government in this document, *A Voice for Victims*, back in 2000. I'm glad they're finally listening to the Office for Victims of

Crime, because there are many recommendations this government should be implementing.

I have a problem with governments doing everything behind closed doors and I'd like to go one step further with Bill 60. If we made an amendment to Bill 60, under section 36.1 where it says, "Victims within the meaning of the Victims' Bill of Rights, 1995 and other victims of offences, may participate in proceedings of the board in accordance with the regulation." I think we should go a little further. I think it should be "Victims within the meaning of the Victims' Bill of Rights, 1995 and other victims of offences," and then include "other members of the public."

I think for far too long things have been done behind closed doors, and there's a denial of justice when things are done behind closed doors. If anybody on the other side doesn't think that is true, I want you to go to Sudbury and talk to Constable Joe MacDonald's family. I want you to talk to his sister, Patti Mathés, who found out over the telephone that there was a transfer of Patti's brother's executioners from maximum to medium security; she found that out by watching television; she found that out by reading the paper. She wasn't given the same rights that the executioners were given. So there is a denial of justice here and there is in fact the revictimization of victims.

Bill 60 goes a way to addressing that and I applaud the government for that, but you're not going far enough. Take the secrecy away. Make sure the public is informed, and by their participation and then by the responsible reporting of things like that you will see that in fact victims feel protected in the system, and victims will also feel that they don't have to be concerned about being revictimized.

We all know in this House, because we passed a resolution pertaining to the JOEMAC committee, which is a community-based Sudbury committee seeking justice over everything and hoping that governments make appropriate choices—we've lobbied long and hard as a community group and we've now travelled across this country, trying to get people and associations to support our initiatives, to ensure that there is justice over everything and that victims are not revictimized. Last Thursday morning I got up in the House and spoke about the progress of JOEMAC. At that time I hadn't received the directive that the federal Solicitor General sent to Lucie McClung, who is the Commissioner of Correctional Service of Canada, and although it doesn't relate directly, it does relate.

I want to read a copy of the memo, the directive he sent to Ms Lucie McClung, because in fact, as of last Thursday, September 26, at 9:03 am our justice system changed nationally. He said to her, "The Correctional Service of Canada must uphold the principles of the Corrections and Conditional Release Act, which directs you to ensure all decisions directly contribute to public safety." I think that's an admission that that hadn't happened before. "Of course, this commitment precludes the establishment of any sort of quotas to determine security



levels or to govern conditional release decision-making....

"Public safety is of the utmost importance to this portfolio and we will continue to work together to improve our system through effective change.

"I encourage you to share this letter with your team to assure them I believe in our system, one that is respected around the world. Like you, I do not believe in a correctional system driven by quotas."

Listen, that's a major win in the justice system nationally, because from now on, from coast to coast to coast, those correctional officers will know that when they make institutional remarks about prisoners who are not following the rules of the institution, something will happen. There will be a reaction to their action. I tell you, this is major change in our system nationally.

I know that the Minister of Public Safety has launched a review of correctional services in Ontario. He has retired chief David Boothby as the chair, a person I have come to know quite well and respect very much. He has a member of the JOEMAC committee; the brother-in-law of Joe MacDonald, Franco Fragomeni, is one of those members. So I know there is going to be some meaningful dialogue, and it won't be based on partisan political rhetoric, which serves no one in this House well and certainly doesn't serve the citizens of our great province in any great capacity.

One of the other things the Office for Victims of Crime has recommended is that there is a development of provincial victim services standards. There are nine factors that I believe are critical to the establishment of this type of standard, and I'd like to review them in the last three minutes I have.

I believe there should be a recognition of the need and support for provincial standards by victims and victim services providers.

I think there has to be better coordination of all existing services for victims of crime, cross-sectoral, to provide 24 hours a day, seven days a week victim services to all victims of crime as required.

I think there should be available and accessible victim services that satisfy local needs and recognize regional differences.

I think we should ensure adequate, safe and secure space for victims in all courthouses. It's not uncommon in the courthouses across Ontario for that not to happen. That should be enshrined in a form of standard.

There should be the establishment of an emergency fund for victims of crime to serve the immediate, short-term financial needs of the victims.

There should be consistent protocols with respect to victim contact with police, crown, victim services, probation, parole and correctional and other criminal justice professionals. Unless you're a victim, you have no idea how intimidating the system can be.

There should be a built-in accountability mechanism for all criminal justice personnel serving victims. That, I believe, is extremely important, because that provides confidence to the victims.

There should be the establishment of an independent victims of crime ombudsman or advocate to address victims' complaints.

Finally, I think the provincial government must ensure adequate funding from the victims' justice fund to support new standards for victim services.

Those are nine recommendations that I believe would make for the development, introduction and establishment on an ongoing basis of provincial victim services standards. It is important. Bill 60 is but one small step in empowering victims. If we really want to empower victims in the province of Ontario, we have to take the next step and create a victim service standard.

1920

**Mr Peter Kormos (Niagara Centre):** In a few short minutes, David Christopherson of Hamilton West is going to be addressing this bill, as will Rosario Marchese from Trinity-Spadina here in Toronto, and I urge people to listen to what they have to say.

Look, the bill is of little substance. It does oh so very little. Indeed, the New Democrats had a private member's bill before this assembly that would have created transparent parole board hearings, that would have permitted not only the victim but other interested parties and, most importantly, the press to scrutinize every element of the parole process. That would be real reform. That would be real transparency. That would be a real opening up of what has historically been a very much behind closed doors, secretive process. This government does nothing to demystify the parole process, does nothing to make it transparent, does nothing to permit public scrutiny of the parole process. New Democrats believe strongly, as our private member's bill indicated, in the clear need for parole hearings, as but an extension of the sentencing process, to be as accessible to the public as was the initial courtroom sentencing process.

This bill does nothing in terms of opening up the parole process. This bill does nothing. This is the soap-on-a-rope, Hai Karate bill. This is a bill that talks about good grooming for prisoners. This is a bill that talks about how, presumably, if you had given Charles Manson a shave and a haircut, he would have been a model citizen; he could have belonged to the rotary club and been a Boy Scout leader and done oh so many other things. Oh, give me a break.

The author of this bill, Mr Sampson, isn't even in cabinet any more. The author of this bill was ousted from cabinet, no doubt in no small part for his indifference to victims, as demonstrated in this bill. I don't blame the Premier for ousting Mr Sampson if this is the best that Mr Sampson could come up with. Now you've got poor Mr Runciman trying to defend this piece of fluff that does nothing and is yet another sad day in the dismal history of this government's abandonment of victims.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I commend my two colleagues, the member from Timiskaming-Cochrane and the member from Sudbury, for the knowledge they have shown on this issue. As a former critic of Correctional Services, I would say that

this bill should have been debated two years ago. It was tabled in the year 2000 by the former Minister of Correctional Services, the member from Lanark-Carleton, Norm Sterling. But at that time, we were sure that we would have debated it because the pressure was on the government that we had to give the proper tools to our correctional services officers. But since then, a lot of things have gone through and we have forgotten those officers who are working in there at the present time who are not getting support from this government.

We have to establish a zero-tolerance policy for violence against correctional staff. Let me tell you, during the time that I was mayor of the town of Rockland, the courtroom was in the municipal council room, and my office was just behind this office and I could see those things going on, that no protection was given. They didn't have the tools, really, to do an adequate job and perform duties adequately during the time they were bringing those inmates to court.

Today I'm really supporting a good part of this bill, but there are definitely some amendments that have to be brought forward so we can support this bill. Again, there's not enough in there that is giving power and the necessary tools to our correctional people so they can do an adequate job when they are performing their duty.

I could say that I did visit quite a few jails in the past—

*Interjection.*

**Mr Lalonde:** Thank you, Mr Speaker. My time has expired.

**Mr David Christopherson (Hamilton West):** I'm very pleased to follow the comments of the members from Sudbury and Timiskaming-Cochrane. I, too, would like, with your permission, to pick up on the comments that the member from Timiskaming-Cochrane raised in terms of holding this government to account in terms of what they've done in the past with victims. I think it's very germane to the point. They want to stand up and talk about Bill 60 as being this great, wonderful benefit that they're bringing to victims, yet it was this government, after they brought in their other Victims' Bill of Rights, that sent in government lawyers to argue against two Ontario citizens, two women who went into court and asked for the rights that you said they had; you said them in this House. They asked for those rights to be given the force of law, and you rolled in government lawyers and attacked their right to do that, and you made the argument, through your government lawyers, that these citizens did not have the rights that were written down on a piece of paper. It's outrageous.

The Minister of Public Safety, to stand up and talk about victims' rights, has got a lot of gall. There are things that your government has done in the area of justice that, as a former Solicitor General and Minister of Correctional Services, I'll support. The recent action against organized crime: damn right; high priority. But do not roll into this place and say that you are giving victims' rights a higher priority than any other government, because you have not. In fact, you've

disgraced yourselves by bringing in a piece of legislation that says one thing and then you attack citizens who ask for those very rights to be given to them.

**The Acting Speaker:** Response?

*Interjection.*

**The Acting Speaker:** No.

**Mr Bartolucci:** I thought we had one more, but that's all right. The reality is that what was said on this side of the House by all the people who spoke is absolutely correct. There's still so much more to be done. I guess that's our message. If you make the amendment to 36.1 to invite the public in, I think that takes care of the concerns that we have on this side, because the process is now transparent. That will be a recommendation that I make at the appropriate time, an amendment when this goes to committee, if it does go to committee, because it's an important amendment to provide for the credibility of Bill 60. I think that's what you're hearing on this side.

We have to ensure that we take the next step. Let me come back to the provincial victim service standards. For the government to understand how critical that is to a victim is imperative. If you don't understand how critical that is, to ensure that victims feel that they're receiving justice, then Bill 60 or any other bill you bring forward with regard to victims really does not have the necessary components in it. Victims in the province of Ontario must feel, (1) they're listened to, (2) they're being provided for and (3) there is the appropriate justice mechanism in place to ensure that they have closure, that they can move on with their lives and that they can feel that indeed there is a justice system where victims are truly empowered.

**The Acting Speaker:** Further debate?

1930

**Mr Dwight Duncan (Windsor-St Clair):** I'm pleased to have the opportunity to join the debate on Bill 60, the Victim Empowerment Act, 2002, and as my colleagues will do, I will vote in favour of this act. But I wanted to have a chance to go on the record tonight not only about this bill but about the government's whole approach to what I would call the crime-and-punishment issue. First of all, let me begin by saying that I define myself as a civil libertarian and I have a tremendous aversion to the power of the state, and I don't trust politicians of any stripe who routinely play on people's emotions about crime. For nine years, I worked and ran programs that dealt with the federal correctional service of Canada with the provincial corrections ministry. I can tell you that the kind of argument I hear put forward by politicians in this chamber demonstrates a singular lack of understanding, not only of cause and effect with respect to crime, but of how to deal with crime, indeed, how to deal with victims.

Let me give you a "for instance." We're spending a lot of time on this bill. I'll predict to you that this bill will do absolutely very little to help, in a meaningful way, victims of crime.

I ran a program that tried to deal with reconciliation between criminals and victims. But the simple fact of the matter is, most of the people who come through the prov-



inial corrections system don't have victims in the sense of the types of crime that have them sent into longer-term stays, that is, over two years in a federal penitentiary.

There's a lot of fire breathing on all sides of the House about justice and fairness. The hardened criminals truly do go into the federal system. The federal system is better equipped than the provincial system to deal with these kinds of issues. I guess some prisoners who are in for crimes will have to get their hair cut a little more often as a result of this bill. The one thing that is good is this notion of parole and victims having the opportunity to appear before parole, but the fact is, the types of parole violations that are dealt with for somebody with less than a two-year sentence really don't affect people who have been victimized by serious crime.

So when I hear particularly the Tories over there making a game, I think they exploit people. I think they're exploiting victims. I think they're exploiting people's insecurity in society and trying to paint a picture that doesn't really happen.

In the provincial corrections system, as I recall, most of their inmates' crimes are drug- or alcohol-related. They get them into the system usually for under 12 months. We used to put through about 80 or 90 a month in the facility I ran. I can tell you that this ministry, the provincial ministry in those days—and this was under a Liberal government, it was under an NDP government and it remains the case today—they don't deal with substance abuse issues when they've got somebody. Get them in, keep them for a few weeks—and usually it's a few weeks—and put them out again. What happens? They reoffend. Then we all come in here and we make grandiose statements about protecting victims and protecting society in a field that largely is not provincial jurisdiction.

I regret the tenor of the debate that has evolved. I think politicians of all stripes exploit it. They exploit the lack of understanding. They exploit victims for their own gain. The sooner that stops, in my view, and we take a hard look at these issues, the better off we will all be.

I have heard this government time and time again rant and rave about a system that it has little understanding of. We've rehashed the same arguments in here, and I'll rehash them again: their superjails aren't working and so on and so forth. But I really hope that someday the tenor of the debate around crime and punishment issues will start looking at fact and less at emotion and stop exploiting victims and exploiting public anxiety about crime and start looking at the reality of crime.

Again, a very simple example: somebody gets involved in an impaired charge. They get bail. Is one of their conditions to go to a program? It might be. Is there a program available? No. So if they get lucky, they might go to an AA meeting, but no follow-up.

So I remind this House, and I'd like to especially say to the people listening, the debate and the tenor of the debate that's carried on on the provincial corrections system in this House exploits victims largely and shows a singular lack of understanding of the provincial cor-

rections system and what it can and cannot deal with. There's no doubt that crime is a big concern to people, there's no doubt that there are victims of crime, but there's no doubt also that the hubris we've seen in here on the part of the government over the course of the last seven years is the most despicable form of exploitation of victims one can imagine, with little or no understanding (a) of the provincial role in corrections or (b) the root causes of crime and (c) the difficulty in getting at rehabilitation, whether it be from substance abuse or whatever it may be underpinning the crime.

This bill does have, in my view, one commendable aspect to it that I can support: allowing victims to be heard at a parole hearing. But remember, the people who are being paroled in a correctional facility aren't the ones who have committed the horrible crimes against other people. Not to diminish what has happened, but this debate can only be characterized—not just this debate on this bill, but the whole crime-and-punishment debate in this Legislature over the last seven years that I've been here, in any event, and having spent eight years before that running programs both in federal penitentiaries and correctional institutions, having programs for offenders and bringing them back into the community—I can tell you that this debate and this argument in this House is more disconnected from reality than any other I've seen. It troubles me, and I've not spoken about it because it's a hot-button issue.

Crime rates have not gone down as a result of this government's efforts. Crime rates will not go down as a result of this government's efforts. Victims are no better off because of this government's bellicose grandstanding on an issue it has very little comprehension of. I challenge the government: if you want to do one thing, talk to people who work in the rehabilitation field and the provincial system and talk to your own senior management. Offer a program in substance abuse recovery in provincial corrections facilities.

When I left my previous employment, I believe for 70% of provincial offenders their crime had an alcohol or drug underpinning. Getting them into the prisons or the corrections system did nothing for them. And by the way, that was the Liberals too. I remember coming up here and arguing with my friend Mr Ramsay when he was the minister and saying, "We're taking literally hundreds of people a year off your hands, providing them with substance abuse counselling and support," and we were getting no support to do it, except from churches and other organizations. When you fail to deal with that, you fail to get at the root causes of the problems our institutions are dealing with.

I believe most people are sincere in their intent and desire to empower victims and deal with crime, but let's turn our attention to the real issues, understand the limited role the province plays, quit taking advantage of people's insecurities—and what I believe is a system that is not designed to deal with the more serious crimes against persons and property—recognize our limitations and provide answers and meaningful solutions for, hope-

fully, fewer victims in the future and meaningful corrections activities in this province.

**The Deputy Speaker:** Questions or comments?

**Mr Kormos:** Once again, let's be very careful. This bill does so little. It says, "Victims may participate in parole hearings in accordance with the regulations." That means they may be entitled to attend. It certainly doesn't mean they will have standing such that they can challenge claims being made by a parole applicant. It doesn't mean that this government will ensure that they have counsel to represent them should they have standing at the parole hearing. It doesn't make it mandatory that the parole board advise a victim of a parole application or that the parole board advise a victim of the pending time frame when a parole application could be brought, and it doesn't permit other interested parties. It doesn't indicate clearly that a victim and his or her representative shall have clear standing.

1940

The bill does so little. In fact, the bill's clearly been an embarrassment. This bill is musty and mouldy and has been layered with dust. It has been over a year since the government last had it in here during the course of second reading debate. The minister who sponsored the bill has all but disappeared from the face of the earth. You don't see or hear from him.

It is grossly unfair to suggest there's anything in this bill that constitutes any real or firm commitment to the interests of victims.

It's especially important to note that the bill does nothing to demystify the parole process, to make it transparent so the public can see, be it through the eyes of the media or directly, what's going on in that parole board hearing room. That's good for the administration of justice, should that happen. It's good for victims. It's also, quite frankly, good for offenders.

**Mr Steve Gilchrist (Scarborough East):** I just want to go on the record thanking the member for his comments. They certainly added to the debate. I look forward to hearing further comments before proceeding to the vote on the bill.

**Mrs Marie Bountrogianni (Hamilton Mountain):** I'm happy to join this debate. We will, of course, support this bill with some amendments. We acknowledge that it's a start, but a very small start, to what needs to be done to support victims.

Victims will have the right, in some way, as the member from Niagara Centre said, to appear and make a presentation to the parole board while the offender is present. I know from my previous profession that that's very therapeutic and very necessary for victims. In fact, they sometimes feel they owe it not only to themselves but, if they have lost a loved one through the crime, to the loved ones. It's very important for that to be done.

I want to link this to something that happened last week in the House when we had a victim of a different sort: a mother whose daughter had a heart transplant, who has to have the air conditioning on all the time, and therefore her hydro bill had doubled. She knew that when

we brought her name forward and she would be on TV that nothing would really happen right away with this government, but she acknowledged to us later that she felt like she had done something, that it was therapeutic for her to speak up.

So this links to victims of all kinds, and we of course will support that part of the bill.

I do also agree with the zero-tolerance policy for violence against corrections staff. I think it's important that corrections staff need to feel secure in the job they do. I have a lot of friends who are in the profession of corrections, and they are often afraid for their safety. So I agree with that part of the bill too.

I'd like to congratulate my colleagues from the Liberal caucus, but also my colleague from Hamilton West, for bringing up—I know we can't say the H word—the inconsistency between what's in this bill and what was done with those two women who were told they could speak and then told they didn't have the right to speak. I think we have to look at those inconsistencies when we develop laws in this province.

Again, I want to reiterate for the Liberal caucus that we will support this bill with appropriate amendments to make it stronger, not just a small first step.

**Mr Christopherson:** I'm very, very pleased to respond to the comments of the member from Windsor-St Clair. For a House leader, it doesn't happen too often, but I think it was one of those times when it truly was a non-partisan speech. I thought so much of what he said is very reflective of the real reality, rather than the reality that this government has tried to have people think exists around us.

It was interesting. He commented on the crime rates decreasing. I was just mentioning to Peter Kormos that arguably the single biggest cause of the lowering, quite frankly, is the aging of the baby boomers. Criminologists will tell you that there's a peak time when those who are criminally minded just get too old for the antics of that life—

**Mr Kormos:** And then they get elected.

**Mr Christopherson:** I'm not going there—and then things change and that stops.

I thought it was particularly interesting—I wrote it down; I think it was the preamble—that he said there's so much of what you do and say that is disconnected from reality. One of the things we forget when we deal particularly with parole, which is a real hot-button issue, is that virtually every single person in the provincial jails is coming out, they're coming back, because they got sentenced to two years less a day. If it was longer than that, they'd be in the federal penitentiary system. So virtually every one of them is coming out. So if you don't give a tinker's damn about any of them, you ought to be caring about the community they're coming back to. If we don't have some system of helping them reintegrate, then it's back into our communities and more crime in our backyards if you don't deal with it in the way the member for Windsor-St Clair is suggesting.

**The Acting Speaker:** Response?



**Mr Duncan:** I'm pleased to thank the member for Hamilton Mountain. I remind her that those coming out of the provincial corrections system on parole will likely not have committed a crime of violence against an individual. I remind the entire House of that. Thank you also to my colleague from Hamilton West.

To my colleague from Scarborough East, Mr Gilchrist, in light of what the judge said about him, I am pleased that rehabilitation does work and somebody can come and get themselves elected to Parliament. It tells me that there is a place for rehabilitation and that meaningful rehabilitation has to go beyond bellicose political grandstanding on the part of all politicians and deal with the reality of modern crime and what the provincial corrections system is empowered to deal with and not just jump all over issues and exploit victims, exploit communities, exploit insecurity.

Like Mr Gilchrist, I've had a lot of experience in the criminal justice field. I was working in and running a centre that provided rehabilitation. I'm saying to the members of this House, folks, this is an extremely limited piece of legislation. The government's entire crime-and-justice policy is predicated on fear, it's predicated on the exploitation largely of the poor and the dispossessed. It's something that history, I believe, will show to be one of your most unsavoury legacies.

I challenge you to come to terms with the reality of our provincial corrections system and an understanding of the types of people we deal with and try to deal with it in a meaningful way. I don't expect you'll be able to solve the problems any more than any other government has. But the sooner you put aside this blatant exploitation of victims of crime and of the fear of communities, the better off we'll all be.

**The Acting Speaker:** Further debate?

**Mr Marchese:** I want to follow up on a few comments made by my colleague Peter Kormos from Niagara Centre. My colleague David Christopherson from Hamilton West will speak soon on these matters, but to follow up on a few things the member for Niagara Centre said, first of all, this bill was introduced in May 2001. These people are so concerned about the rights of victims that it languishes there on the shelves. It lingers ever so long somewhere on the shelves. They care so much about victims, they just couldn't find it in their legislative framework to bring it forward. May 2001, and this is the party that fights for victims? They are so proud of introducing bills that do so little for victims.

What bothers me is not so much what they say; it's what they don't say. What bothers me is the appearance of being supportive of victims and doing so little. That's what disturbs me.

**Mr Kormos:** The dishonesty.

**Mr Marchese:** There is some of that. There is some misleading of the public with respect to this one. They say, for example, that victims will be able to go to those hearings. We know that the bill does not provide for that. We know that Bill 60 does not say in the law that they

shall have access to those hearings or that they shall be notified.

**Mr James J. Bradley (St Catharines):** That's the impression I had from their speeches.

**Mr Marchese:** But not just the impression you had from their speeches; in fact, that's what they say. What bothers me is that everything in their presentation of this bill is about how much victims are going to get as a result of Bill 60, and the law says victims "may" participate. "May" enables them to do it in some way or other, that they possibly can, but there is nothing in law that says they have a right to participate, that they will be notified.

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That's what bothers me about this law-and-order agenda. They never fail for one moment to talk about all these other great bills they've passed. What makes me sad is that the media doesn't follow these issues very closely. So listeners, it's between yourselves and us to be able to give you some information you are not likely ever to get from the media, but you get it here on this parliamentary channel. That's why we are so happy to have this opportunity to debate and to reach out to you, to talk to you about the scam perpetrated on the public about how much we're giving poor victims.

They have the audacity to present the Victims' Bill of Rights as one of their star bills that is presumably to have given victims rights. They know—the Attorney General is not here at the moment, but he was here earlier—as my colleague from Hamilton West has already said, that Judge Day ruled that your Victims' Bill of Rights had no rights conferred to victims. The members from Hamilton West and Niagara Centre have argued it many times before. Their own lawyers argued that their bill did not confer rights.

Do you understand the comedy of it all? It's so utterly comical to have the government give one line, where the substance of their bills is another. It's so paradoxical. It's so stupid not to be able to reach out to 10 million people, six million people at one time to tell you that what they are doing is perpetrating a big lie about how tough they are.

They bring forth the bills like the Parental Responsibility Act. You recall that bill, Jim. That's the bill that's supposed to give people rights to sue individuals who have harmed them, harmed their property in some way or other. We know, mostly through our critic from Niagara Centre, who has a good knowledge of the law, that existing law would have given those people more rights in terms of being able to sue, first, and the greater ability to be able to recover more of what has been done against them than the bill called the Parental Responsibility Act.

Has anyone ever heard about this bill since they've introduced it, about anything in court that may have been brought to it as a result of this, someone who might have been aggrieved and took someone to court over this Parental Responsibility Act? Zip. Nada. Nihil. It's just a bill that's out there.

They're just thrown out, one bill after the other, so that this party can appear to be the party that's tough on crime

and gives rights to victims that they don't have. It's such a sham.

The member from Scarborough Centre even has the audacity to talk about a component of that bill that talks about grooming for health reasons. It's a substantial part of this bill that they're going to force people to groom themselves for health reasons, because she cares about them being groomed for their own safety and health-related reasons. You see the kind of stuff they put into these bills?

Do they get away with it? They do get away with it, because nobody reads these bills, nobody follows them. The media sometimes, God bless them, either do not have the time or the resources to do the proper research, or the willingness—I'm not quite sure—to be able to put to the public the real truth about what is contained in these bills. So they are able to get away with it each and every time.

The federal government has a law, I understand—this to the Liberals who may not have realized—that gives victims the powers that they claim, in this bill, to do but are only enabling inasmuch as the language says they might. But we don't know whether they'll be able to have those rights. If they want victims to have those rights, why don't they say, "Victims will have access to those hearings, will be notified, will participate, because we want them to be part of the process"? Why don't they say that? Why the sham about "may" versus "shall"? Why do they do that? They do that because they don't really care too much about this except for the image of being tough, the image of being kind to victims because they care about victims.

We know there was a bill presented by Peter Kormos, the member from Niagara Centre, Bill 89, that would have ensured victims the ability to attend a parole hearing, would have ensured that members of the public could attend, would have ensured that the media would be present to be able to hear what indeed happened, what indeed is happening, and report to the public as a matter of public interest.

Bill 89, introduced by the member from Niagara Centre, would have done that. Were they concerned about giving victims these rights and powers, they could have easily taken that bill. They didn't. They refused to do that, which tells me they're not really interested in giving victims the rights they deserve.

I say to you that a bill that was introduced in May 2001 is still lingering in nowhere land, brought here again a year later, because they care so much they haven't had the opportunity to bring it forward? They don't. That's the problem. They don't. It's a sham. Listeners of this program, they don't really mean what they say. They're playing with you. They're playing with the public. They're playing with your emotions. They're giving you the sense that this is the only party that would ever deal with issues of crime and would ever deal with issues of victims. That's the sham they're playing with you and with us.

The only power we have is our ability in this place to debate, to argue and to speak to you directly. That's all we've got. Those of you who are watching are empowered, in my view, as you watch this program to then question the members about what these bills contain, to question them on the substance and not only the appearance of these bills, each that belie the substance, titles that belie the substance, contents that belie the substance. This bill doesn't go very far in doing what it purports to do.

**The Acting Speaker:** Questions or comments?

**Mr Gilchrist:** I think the member who just spoke went slightly off the topic of the bill and got into an area he really should be loath to venture into. The suggestion that somehow we have not seen an improvement in issues of crime, particularly in our urban centres, particularly here in the city of Toronto, is preposterous.

The member knows how, in his own riding, crime rates have fallen since 1995. In my part of the city, an area that had long had a reputation of being a high-crime district, we've seen crime drop by 35%. The member opposite is probably going to suggest that people aren't reporting crimes now. He's probably going to suggest that when people have their cars stolen or they get assaulted or they get murdered that somehow they're not taking the time, it's become too complex.

The bottom line is that crime has dropped 35% in that part of 42 Division, and your riding isn't all that different. To suggest there have been no changes, to suggest that the same things people should have feared walking the streets in 1995 exist today is preposterous. It's insulting. It's wrong. The member has an obligation to be more accurate, to reflect what's really happening in his riding, not to fearmonger, not to stand in his place and score cheap political points.

The fact of the matter is that south of the 401, I'm proud to say that according to Metro Police statistics, Scarborough East now ranks level with Rosedale in terms of the crime rate. The bottom line is that part of that is because the province invested in 1,000 police officers for local police forces, including 250 in Toronto, a considerable portion of which was assigned to the two police divisions in Scarborough. It's made a difference. A lot of the other issues made a difference, most importantly getting a million people back to work, new jobs in this province. That's made a difference. Crime is down, and the member knows it.

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**Mr Bradley:** The self-congratulatory messages which come from across the floor are astounding, because when it suits their purposes, they will tell you how high the crime rate is, and now on this evening with this bill before us, they want to tell us how low the crime rate is.

The fact is out there that there is no question that the people whom we all want to assist in some way or another are the people who have been the victims of crime. There are many cases. There are some members here who represent ridings where there are some very high-profile cases. Those people will tell you what it's



like going through the procedure of a court trial, the pretrial and even the post-trial part of their pain, let's put it that way.

As you would know, in the city of St Catharines, the parents and family of Kristen French would be able to tell you about the great difficulties they encountered day after day, their worry about tapes being shown. And at long last, after a major fight by their lawyer and by many of us in this House, those tapes have finally been destroyed. That, certainly for them, was a real relief, because they were very concerned that over and over again those tapes would be played. The Attorney General is, I know, happy, as I am, with that circumstance, where those tapes at long last have been destroyed, because all of the procedures have taken place in court. There are other cases that the member for Niagara Centre and I are familiar with in the Niagara region.

What we would like to see is legislation that has a meaningful impact. This bill in some ways will have a modest impact, will be a modest improvement, but what it is characterized as and what it will actually deliver are two different things. That's most unfortunate, because the potential is there for very strong legislation.

**Mr Kormos:** I'll tell you what. I think this bill is going to be voted upon this evening.

**Interjection:** Hear, hear.

**Mr Kormos:** Fair enough. I think if this government believed everything it's been saying about this bill it would send the bill to committee so that we could, oh, let's say, have the office for victims' rights come to the committee, so we could have—

**Interjection.**

**Mr Kormos:** Well, of course it couldn't be the office for victims' rights, because we have no victims' rights. My apologies to the Attorney General. Because if we had an office for victims' rights, that would imply there were rights in this province for victims, and we know of course—now, it wasn't this Attorney General, because this is the first Attorney General I've liked in a succession of a couple. His predecessors—there was one, the author of the Victims' Bill of Rights, it was Charlie—I can't remember—

**Interjection:** Charlie Harnick.

**Mr Kormos:** Well, whatever. It rings a bell, but it's long gone from my memory.

People in the opposition were warning him that his Victims' Bill of Rights did not contain any rights for victims. And sure enough, the government's own lawyers were arguing that when it came time to be litigated.

So let's send this bill to committee. Let's examine the prospect of toughening up the rights of victims to have standing at parole hearings. Let's examine the prospect of some amendments that would open up parole hearings so that the media could access them so they could report to the public. And let's examine the good grooming sections, the "Oh, we'll rehabilitate by making sure that prisoners have manicures and pedicures," all the things that are entailed in good grooming.

Your people just don't—trust me. You go to any dorm in any detention centre or jail facility in this province, and I promise you, if there's an inmate who ain't bathing, his colleagues, or her colleagues, will—go into a dorm of 20, 30 inmates. Trust me, their colleagues will take care of it. They don't need your legislation.

**Hon Mr Runciman:** I'm jumping up again in response to comments from the NDP member, whom I like personally. But I have to remind the House and any of the viewers of the record of the NDP government. They get up on their feet and talk about concern for victims.

Those of us who were sitting over on that side during the time the NDP government was in power will recall the operations of the Ontario Board of Parole, when they put an individual who was a former executive in the John Howard Society in as head of the Board of Parole. They had people working in the minister's office who were Elizabeth Fry officials, or former Elizabeth Fry officials.

I'm not being critical, but the focus of the NDP government during their years in power was on prisoners' rights, not on victims' rights. And we have case after case that proves that, most significantly the death of Constable Joe MacDonald in Sudbury. We have the JOEMAC foundation dealing with that; one of the members of the Liberal Party is very active in that effort. For them to get up—they should be silent on this issue; they have the nerve, the gall to get up and talk about their concern for victims in this province—is purely ludicrous.

**The Acting Speaker:** Response?

**Mr Marchese:** What a shameless manifestation of emotions there. Shameless. The Minister of Public Safety has been part of a government that speaks so proudly about rights the victims get. And we talked about the Victims' Bill of Rights that gives no power to victims—he's proud of that, I guess; a Parental Responsibility Act that's weaker than the current law; going after squeegee kids because they're cleaning windshields. He's proud of this record. What a shameless manifestation of anger against the New Democrats. To be compared to all of the bills they have presented, which has nothing—it's fluff.

The member from Scarborough East said that I wasn't speaking to the bill. I don't know where he's been since I've been speaking, because what I was speaking to was to the issue of the act giving victims a greater role at parole hearings. That's what I was speaking to. And he says he doesn't know what I was talking about, more or less. And then he wandered off to la-la land with some other issue.

The point of this bill is that if you are to empower the victims, this bill doesn't do it. If you want to give the power to the victims to have a greater role, Minister for Public Safety, then give them that power and change the wording that says "may participate" to "shall." Do that. If you're so tough and you're so good to victims, defend the different kind of language. Don't blah blah blah with those emotions that say so little and say, at the same time, so much about what you are not doing. This is Bob Runciman. Change the language. Take it to committee.

Debate. Let's give the stronger language that Bob, the Minister of Public Safety, wants, and let's debate that, seriously, in this place.

**The Acting Speaker:** Further debate?

**Mr Christopherson:** Finally we're getting a little bit of debate here; we're getting a little bit of action. I want to tell you, for you to stand up and say that you've done more for victims than anybody else is absolutely not the case.

**Mr Bob Wood (London West):** More than the NDP, that's for sure.

**Mr Christopherson:** I heard somebody say, "More than the NDP," and I've got only nine minutes, but I'm going to touch on that.

But one of the first things I want to do—

*Interjections.*

**Mr Christopherson:** Just hang on. We've listened to you; give me a moment.

This was said by the minister of the day on the day the bill was introduced. My friend from Trinity-Spadina has made a very valid point, and that is, if you care that much about victims and this bill is going to work such wonderful miracles, why wouldn't you have wanted to give the victims of crime since the time you introduced the bill until this gets passed benefit of the bill? What, you've just sacrificed them, if it's such a great thing that you would be giving them? You've just said to those victims, "Sorry, you don't fit our legislative timetable." That's justice?

The point this evening that we're on right now, between the two opposition parties and the government of the day, is their claim that they do more and care more about victims than anybody else on this side of the House. That seems to be the point we're at right now, and that's a great debate to have.

On the day this bill was introduced, the Tory minister of corrections said this, and I quote from Hansard, "Throughout all of our reforms in corrections,"—meaning the government—"throughout all the reforms of my colleague the Attorney General and my colleague the Solicitor General, we have tried to modify the justice system to speak more bravely and more boldly to the needs and the wishes of the victims of crime; hence, the Victim Empowerment Act that we're debating today. If you can't speak to the needs and the wishes of the victims in a just society, then how can you call it a truly just society? If the balance is out of whack between those who have had crimes committed against their personal property or themselves individually, and those on the other side who have committed the crimes, if the balance is not there, how can it be called a just society? Then how do people in society have respect for the law?"

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That was the question the Minister of Correctional Services posed to this House when this bill was introduced. Time doesn't let me go on, but he makes reference to the Victims' Bill of Rights.

You want to talk about respect for law. "He's already gotten up and talked about that earlier tonight." Fine; if it

bores you, click to another channel. I'm going to refer to this issue every chance I get, because if ever there was something a government ought to be ashamed of it was your Victims' Bill of Rights, which you tied to this bill. By the way, the government doesn't seem too interested in speaking to this bill this evening. I don't know why. You know why, Speaker, because they want the bill to go through. They love the name of it and they love to be able to reference it, but they sure don't want to get too far into this subject because it's one they can't win.

We'll talk about victims; we'll talk about the Victims' Bill of Rights. I was so pleased with the comments of my Liberal colleague the member from Windsor-St Clair, because he spoke to these issues very directly. It's not necessarily the most popular thing to do but it reflects the truth. This government has presented itself actually from the beginning of the 1995 campaign to date as the only party in this place that truly cares about victims. It makes reference to our government, and because we had someone from Elizabeth Fry, which was a direct attack on my former chief of staff—by the way, I would just add, for the Hansard, that there was a personal attack by the now Minister of Public Safety, who was then over here in the third party as my critic, who accused my chief of staff of all kinds of things and never apologized publicly for doing so. It was OK to besmirch her and attack her, but it wasn't OK to stand up when the picture was clear and apologize for making the suggestions he did.

However, having said that, what this government has attempted to do is to suggest that we on this side, both the Liberals and the NDP, have no interest in the victims of crime, that we're all about—what's the term they like?—coddling criminals, taking care—

**Interjection:** Soft on crime.

**Mr Christopherson:** Yes, soft on crime. Those are the buzzwords and the key phrases they like to use. But I was there. I'm one of those who was in those shoes for a while, and I don't think I need to articulate that I don't think there's a person in this House who doesn't care about what happens to victims of crime.

When we looked at it, at some of the things that we wanted to do, do you know what we found out? It wasn't that easy. Like many things in life, if it was easy everyone would do it. What happens is that when you start to look at some of the things you would put into law, at regulations and procedures to give effect to wanting to help victims of crime, regardless of your political affiliation, if you want to do some of those things, I'm going to tell you the reality, and that is that it's mind-bogglingly expensive to do it properly because you can't put limits. When you give people rights, everybody gets those rights. They have the right to carry those rights in every aspect of the criminal justice system. Then you have to put in time frames that make sure the information gets to victims of crime in a timely fashion. You have to have people to administer that. It all has to be done competently, and in most cases there needs to be some kind of an appeal process attached to these things.



If the government had said when they introduced their Victims' Bill of Rights, "We can only go this far and no further, but we're glad to take this step," they probably wouldn't be feeling the kind of venom they are now, because what hurts is that this government knew exactly the same thing we did. We chose not to do it if we couldn't back it up and actually give people those rights. You chose, this government chose, to introduce that Victims' Bill of Rights and say that people had all kinds of rights that at the end of the day they did not have. Is that just political rhetoric? Absolutely not.

I say again that when those two citizens went into court and said, "I'm a victim of crime and I heard my Attorney General and my Solicitor General giving assurances"—as best I know the Hansards were read out and introduced into the court proceedings because that's what they were basing it on—the response from the defence, which was the government, was government lawyers standing in front of the judge and saying, "Your Honour, these citizens don't have those rights that our Attorney General and Solicitor General said they have. We were just kidding."

I wish this evening I had the quotes from Judge Day. They are so damning. He makes it very clear, and these are my words, that this was a political ploy, that you said one thing and you did another and you did it deliberately. So what galls people like me and other justice ministers in former governments—I'm sure there are former ministers on the Liberal side who feel the same way—is when you stand up and say, "Because you didn't introduce a Victims' Bill of Rights like we did, you don't care about victims as much as we do. There's the proof." That's not the case.

Do you know what, though? What you did is worse than doing nothing, because you told people they had rights and then you went into court and said, "No you don't." That's wrong.

*Interjection.*

**Mr Christopherson:** Yes, that's exactly what happened, I say to the member from London West or London North. I say very directly to you, read what Judge Day had to say about your own government. I know you won't. After you've drunk the Kool-Aid around here, there's no need to go look at reality or look at facts, I know. But let me tell you, it is frightening to think that a government knowingly stood up in this place, that ministers of the crown stood up in this place and said, "We're here to give you victims rights that you don't have," knowing in your heart and in your mind that you weren't. When push came to shove, you went after the very people you said you were proposing to help.

**The Acting Speaker:** Questions and comments?

**Mr John C. Cleary (Stormont-Dundas-Charlottenburgh):** I'm pleased to make a few comments on this bill. I believe it would have a modest impact and be an improvement on what we have now. I think that if all the members of this House would put their heads together and send it to committee, we could come up with something that would be reasonably workable.

It was mentioned here earlier how crime went down in Toronto as well as in some other locations, but I know that—

*Interjection.*

**Mr Cleary:** I'm not so sure about that. I hear noise from over there, but I'm not sure that has happened. It went down in other parts of Ontario. I know some places where it's not down as much as you would think, because if you saw the law enforcement we have there and everything, trying to control some of the things and some of the people who have been victims—anyway, I think the answer, as I said earlier, would be to get the bill to committee. It would be an improvement. I would hope that's the direction we would go in because I know that a lot of people in this province, all corners, may be watching what's going on tonight and will read about it later on. I thank the government for bringing it forward and I am pleased with the comments from all parties. I know that every member of this House has the same thing in mind: trying to make our province a safer place than it is today. I think we have to work together to accomplish that.

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**Mr Marchese:** I want to congratulate my friend from Hamilton West for his forceful critique and forceful attack on this government, because that's what you have to do: you have to attack them seriously and hard, because it's a serious, serious game they're playing against victims and on the citizens of this province.

The aim of this bill is not to say this is a modest improvement; no. They do not present this bill as a modest improvement in giving victims rights. They present it as singularly the most important bill they've ever introduced to give victims power. That's singularly not true. It's so singularly dishonest that you have to attack forcefully when they present it in this way. If they had presented this bill as a way of saying, "Look, we're making some inroads, we're going a little ways to giving victims some power," then you say, "OK, it doesn't go far enough, but yeah, you're right." But when they present it as they do, each and every time—although tonight they're very silent—about the empowerment of victims, while in fact it gives them so very little because the language in the bill does not give the power and the rights they are entitled to—it's a foolish game they play. Then you have to attack.

So it's hard for me to say that I don't want to support this bill. It's hard because, yes, there's something there that you want to support, but it's so difficult for me to say that it doesn't have enough. I'm almost tempted to say that it's so bad, it doesn't give the rights they're entitled to, that I'm tempted to want to vote against it. That's the feeling it produces in me.

**Hon Cameron Jackson (Minister of Tourism and Recreation):** I've been a little disappointed by the level of debate this evening. I do want to comment very briefly. I want to concur with the comments made by the member for St Catharines about those of us who have known first hand the families that have experienced

tragedies. I was visited just last week by Ryan Mahaffy and reminded again of the impact that victimization has on people.

It is perhaps unfortunate that this debate has degenerated into what government did what and what government didn't do what. I think it's perhaps more important at this point in time that—because frankly, we put together a bill, one of a dozen bills which the government has brought forward—we want to continuously improve the quality of life for individuals, primarily for victims who have said their most important desire is that no one else experience that victimization.

The government works with the public and the opposition parties in the hope that we will be able to make court reforms, reforms in policing services and social support services—all of these coming together to help victims. And yet tonight, the debate has degenerated to what government did what.

The true irony of this is that this bill will improve the situation for victims in this province, and yet the opposition members will be faced with the prospect of delaying the bill and not allowing it to proceed, and with the prospect of potentially voting against it. The fact of the matter is, if we work together on behalf of victims, try and present some amendments to make this a stronger bill, if that's your point, but if it isn't your point then at least come together and support the Attorney General of the day in order to make this happen.

**Mr Duncan:** I want to congratulate my colleague from Trinity-Spadina on the thoughtfulness of his speech tonight.

**Mr Bradley:** And Hamilton West.

**Mr Duncan:** And Hamilton West; they shared the time. I want to say, as I said earlier tonight, to bring the Mahaffy situation into this debate and to compare it with the victims of crime of those who would be paroled from a provincial correctional facility is the worst form of exploitation one can imagine. The people who are paroled and come out of provincial facilities were convicted for under two years. Generally speaking, their crimes do not involve crimes against the person. Generally speaking, they're paroled because the crimes themselves certainly are not of the magnitude that was just referenced.

I believe in the intention of people, and that's why I'm supporting this bill. I think the NDP have pointed out some real flaws in it. To suggest somehow that anything in this bill involving the correctional system will do anything to aid those victims of horrendous crimes against a person just really betrays a fundamental lack of understanding of our correctional system.

As I said earlier, having worked in it for eight years, having actually been inside correctional facilities, having run programs out of those facilities, as well as federal penitentiaries, to trivialize—and the bellicose language around this debate, in my view, serves no one's interests, least of all the real victims of crime.

**The Acting Speaker:** Response?

**Mr Christopherson:** My thanks to all the members who responded: the members for Stormont-Dundas-Charlottenburgh, Trinity-Spadina, Burlington and Windsor-St Clair.

In responses you only have two minutes. I want to focus on what my neighbour in Burlington had to say. First of all, I want to underscore what he didn't say. He did not stand up and say that I misrepresented what Judge Day said. He did not stand up and say that I misrepresented what their government had done or, in the other acceptable parliamentary term, leave the impression that he disagreed with my recollection of what he did. He did not do that. I think that silence screams volumes.

Second, I say to my friend that you continuously lose so much credibility when you stray from your point. Right now I'm not sure of the point you were making originally, because when you strayed, it really got us upset, because what did you say? You said that we were trying to delay it. Where did that come from? We're the caucus that made the argument, and Liberals may have also, that you haven't touched this bill in a year. If it was that important to victims, didn't you owe it to them to get this law passed, given that we've already told you we support it and you're going to get the bill? To then suggest that somehow we're delaying it merely amplifies the fact that this government forever wants to move off the focus of the real situation and go where it wants. Those points were again eloquently—I'm very, very proud of my colleague from Windsor-St Clair and his tone this evening and what he's brought to this, much opposite to what the minister raised on the government's behalf.

**The Acting Speaker:** Further debate?

Seeing none, I will be placing the question. Mr Sampson has moved second reading of Bill 60, An Act to give victims a greater role at parole hearings, to hold offenders accountable for their actions, to provide for inmate grooming standards, and to make other amendments to the Ministry of Correctional Services Act.

Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading?

**Hon Mr Runciman:** We will send it to the justice and social policy committee.

**Hon Doug Galt (Minister without Portfolio):** Motion to adjourn.

**The Acting Speaker:** Mr Galt has moved adjournment of the House.

Is it the pleasure of the House that the motion carry? I heard a no.

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

This House is adjourned until 1:30 of the clock tomorrow.

*The House adjourned at 2030.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



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**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Wednesday 2 October 2002**

**Mercredi 2 octobre 2002**



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 2 October 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 2 octobre 2002

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### HYDRO RATES

**Mr Michael A. Brown (Algoma-Manitoulin):** Let me tell you about the senior citizen on a fixed income in Wawa whose electrical bill has increased 60% year over year. Let me tell you about Les and Pauline Hillstrom, dairy farmers near Bruce Mines. Their hydro bill has gone from \$1,000 in August 2001 to an astonishing \$2,020 for August 2002. Let me tell you about the small dry cleaner on the Manitoulin whose monthly electrical bill has increased 300%. Let me tell you about the Goulais truck driver, with two small children and a wife who is disabled, whose electricity bill has doubled.

Let's not forget about the sawmill in Dubreuilville, which has seen electrical bills increase by 110%. Here is what the mill manager had to say: "Our electric bill has more than doubled in less than three months when there has been absolutely no change in the product or the service being delivered to our mill. The electricity is still being produced less than 30 miles from our mill, still being distributed over the same grid that has carried the power for the last 40 years and still through the same company. Absolutely nothing has changed, that is except for the drastic price increase and the huge profits the electrical producers are raking in at our expense."

It is time to stand up for Ontario consumers. Yesterday, Liberals called on the government to roll out the rebate. Today, I call on electricity retailers to provide payment extensions and flexibility for those who are about to be bankrupted by these unconscionable rates.

#### e-LAB

**Mr Bert Johnson (Perth-Middlesex):** I rise today to tell my fellow members about a great public-private partnership that is giving high school students in my hometown of Listowel the opportunity to learn in a state-of-the-art computer lab.

This project, known as e-Lab, was spearheaded by Listowel District Secondary School teacher Blair McKay and Mike Lazaridis, president and CEO of Waterloo-based Research in Motion, the creator of the Blackberry.

McKay and the Avon Maitland District School Board also worked with technology companies like Hewlett

Packard (Canada), Epson Canada, as well as local partners including D & D Automation, Ideal Supply, Listowel Technologies, Rockwell Automation, Campbell's Soup, Hammond Manufacturing, and Mornington Communications, to make the e-Lab a reality.

As a result of the commitment shown by these companies, Listowel students will not only be better prepared for post-secondary education and careers in the high-tech field, but more aware of the opportunities available in this area.

Last school year, I attended the official opening of the e-Lab and saw what a great facility this partnership has created. I think it's a model for other schools, and boards of education should study it.

I want to thank the Avon Maitland District School Board, Blair McKay and the companies involved in e-Lab for their commitment to improving the technical education that Listowel students receive.

#### HEALTH CARE FUNDING

**Mr Ernie Parsons (Prince Edward-Hastings):** This is a government that clearly knows the cost of everything and the value of nothing.

Insulin pumps, at \$5,700, have been proven by all experts to be an excellent investment for individuals. It can save the government literally hundreds of thousands of dollars on kidney dialysis or heart operations.

If you have money in this province or you have insurance, you get it. If you do not, this government will not assist you. Not only will it not buy insulin pumps; it won't assist families even in buying needles for their children. They do not care about the needs of our population.

What is particularly appalling is this government's handling of macular degeneration. The health minister, with great pride, announced they would fund macular degeneration. Everyone thought that was wonderful. Following it, he brought in a surprise restriction that said you must be 50% blind before they will fund it. If you're 40% blind, you have a choice of borrowing money, selling your house or waiting until you have lost 50% of your vision. It doesn't save the government one penny, is the first reaction. It's the same cost if you're 50% blind or 40% blind. What people are doing is putting up with great financial sacrifice when they are 30% or 40% blind to get the treatment, rather than wait until it's 50%.

What a weaselly, cheap way out of handling our citizens. Why does the government attack our senior

citizens? We've heard of a kinder, gentler government. This is no different from the Mike Harris government. Our seniors are under attack and are being mistreated by this government, and I find it appalling. Fund it fully now.

#### APPLE BLOSSOM AWARDS

**Mr John O'Toole (Durham):** I rise in the House today to congratulate the many gardeners in the municipality of Clarington who were honoured with the Apple Blossom Awards just recently awarded. These awards have become an annual tradition in Clarington.

Businesses and homeowners are invited to enter the contest directly or to nominate exceptional gardeners. Entire streets can also be nominated. The judges of these gardens are volunteer members of the Bowmanville, Newcastle and Orono horticultural societies. Their evaluation is based on points such as neatness, selection, diversity, arrangement of materials and the harmony of the garden with its surroundings.

A number of gardens and gardeners were recently recognized in the local press as Apple Blossom winners. These included Judi Radnoti, Deb and Paul Vanherrewegen, Peter and Joan Tax, and David and Johanna Bryant. The award for the best business landscape went to Northcutt Elliott Funeral Home in Bowmanville. Newcastle Community Hall, the Bowmanville Museum and the Bowmanville Zoo were each selected for honourable mention in the business category. The Apple Blossom Awards show the care and pride that residents of the riding of Durham take in their property.

I also thank the horticultural society judges for their great work, and the ongoing support by the municipality of Clarington mayor, John Mutton, and of course municipal staff.

Members of this House know that each day I stand and pay tribute to the constituents in my riding of Durham. Durham truly is a great place to live, work and raise your family.

#### IPPERWASH PROVINCIAL PARK

**Mr Gerry Phillips (Scarborough-Agincourt):** I rise to express my serious concern about the actions of the Attorney General. The shooting death of Dudley George at Ipperwash Provincial Park is a serious issue, and I believe there is considerable evidence of inappropriate political interference in police actions.

On Thursday, September 26, the Attorney General said he had a signed affidavit from former Commissioner Tom O'Grady, saying it "clearly states that the former Premier in no way directed the OPP to act in any certain way in relation to this incident." The signed affidavit does not say that. It says the Premier did not participate in "command decisions." Commissioner O'Grady has never said he was given no direction from the government.

The Attorney General has on a key point said something that is incorrect; he has incorrectly quoted the commissioner on a point where the former commissioner has always chosen his words carefully.

This issue is central to Ipperwash. Ontario looks to its Attorney General to play a unique role above the political fray. The Attorney General chose to abandon that role and attempted to attribute words to our former police commissioner that he never said. These words are at the root of the Ipperwash affair, and I believe the Attorney General has a responsibility to correct the record.

1340

#### TRUCKING SAFETY

**Ms Shelley Martel (Nickel Belt):** Each year 600 Canadian motorists are killed and another 12,000 injured due to collisions with trucks. That appalling statistic is poised to get much worse.

New regulations on the number of hours truckers can drive were recently endorsed by transportation ministers. Each province and the federal government must now pass the regulations to put them into effect.

In Ontario now, truckers can drive 60 hours in seven days, 70 hours in eight days or 120 hours over 14 days. With the changes, a trucker can work 70 hours in five days and is supposed to take 36 hours off before driving again. But if that driver starts a new driving cycle immediately after 36 hours, that next shift puts him at 84 hours of driving in just seven days. That's a huge increase from the current standard. That will have a profound impact on driver fatigue and motorist safety on our provincial highways.

Most independent truckers will be hard-pressed to tell employers they're not willing to work 84 hours in seven days if they're told to. When the bottom line is at stake, some employers won't care about driver fatigue. The real losers are motorists, who will face more weary truckers coming at them on our highways. I predict more deaths and injuries as a result.

I call on the federal Liberals and the provincial Conservatives to reject longer working hours for truckers. Six hundred dead and 1,200 injured Canadian motorists each year are more than enough casualties from collisions with trucks.

#### PAULA JONGERDEN

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** At 6:37 am this past August 23, 49-year-old Paula Jongerden emerged from the choppy waters of Lake Erie as the oldest person to ever swim across the lake. Mrs Jongerden spent 23 hours and 30 minutes battling wind, three-foot-high waves and strong currents after setting out on her 55-kilometre swim from Erie, Pennsylvania, across the lake to Long Point in my riding.

Her drive and determination have served as an example for the rest of us 49-or-so-year-olds in Ontario of what we can do when we believe in a cause.



A nurse at West Haldimand General Hospital in Hagersville, Jongerden leapt into the water to come to the aid of the Long Point World Biosphere Reserve. This is an environmental jewel on our part of Lake Erie and, I might add, one of the most beautiful and pristine areas in southern Ontario.

Mrs Jongerden is a volunteer board member for the biosphere reserve. It's an organization that promotes research, education and monitoring of 8,000 acres of natural wonder and wilderness.

I'm also happy to say her accomplishment has not gone unnoticed in Haldimand and Norfolk where, after numerous newspaper articles recognizing her achievement, Mrs Jongerden will be feted by the Long Point World Biosphere Reserve Foundation on the evening of November 2 at the Vittoria Community Centre.

### POST-SECONDARY EDUCATION

**Mrs Marie Bountrogianni (Hamilton Mountain):** At the same time as the Premier and the Minister of Colleges and Universities are telling our students and their families that there is nothing to worry about and that the double cohort has been solved, their own report shows that up to 40% of students may not have a place at a college or university. This government report, only a small part of which was released, shows that not only are students intending to fast-track this year, but the monitoring of their credits proves this fact. Yet this government refused to release the report.

To add more insult to more injury, another study from the University of Toronto shows that poorer students are going to university a lot less than they did before this government came into power. Our poor can't get in because of your cutbacks that led to tuition increases, and the rest of our students won't get in because of your poor planning for the double cohort. Your private university scheme didn't get you out of this one, did it?

On behalf of the thousands of students and their families, I demand that this government release the report to the public and begin to feverishly do what you should have done properly seven years ago; that is, plan for the double cohort.

### KYOTO PROTOCOL

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** I rise today to speak about Dalton McGuinty's and Jean Chrétien's plan to increase our hydro rates, our gas prices and his plan to send over 100,000 Ontario jobs to Mexico and the United States.

Dalton McGuinty has been travelling around Ontario talking about everything under the sun except his support of the Kyoto accord. He's not telling Ontarians why he's supporting a plan that will kill Ontario jobs.

Dalton McGuinty is fully aware of the facts on Kyoto. He knows that under Kyoto the cost of gasoline may rise to \$1.10 per litre, as estimated by the Canadian Manufacturers and Exporters Association. Dalton also knows

that according to CMEA estimates, Ontario homeowners who use natural gas will see their heating bills increase from \$40 per month to \$225 per month. In addition, according to the CME, electricity rates for a typical Ontario home will rise dramatically, from \$93 to \$144 per month.

Dalton McGuinty also knows that those nations that produce 80% of greenhouse gases are exempt from or have not signed on to this accord.

Ontarians want to know why Dalton McGuinty and Jean Chrétien are so intent on killing jobs in our province. Why is Mr McGuinty supporting a scheme that will increase our taxes and home heating costs? It is time for Dalton McGuinty to come clean with Ontarians and say no to killing jobs in Ontario.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: In light of that very provocative and interesting statement, and seeing the government's desire to debate the Kyoto accord, I seek unanimous consent to waive the orders of the day and engage in a debate where the Ontario Liberal Party will support Kyoto, and let's see if we can find out just what is the Progressive Conservative Party's position on Kyoto.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? I'm afraid I heard some noes.

Reports by committees? Introduction of bills? Motions? Statements by ministries?

Moving along—we could be out early here—it is now time for—

### MINISTERS' ATTENDANCE

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: We've been informed that several of the ministers will be here. I only see two. None of the ministers whom we have questions for are here yet.

*Interjections.*

**Mr Duncan:** Maybe the members opposite would like to engage in a debate. We have a lot of questions, but we want the Premier and a number of ministers, and unfortunately none of them happen to be here right now.

**The Speaker (Hon Gary Carr):** I see some of them are coming in.

**Mr Peter Kormos (Niagara Centre):** On the same point of order, Mr Speaker: This signals clearly to the ministers lingering in their lounge that they are being called upon and that indeed they are somewhat tardy. It's very frustrating to be notified of ministers who are going to be absent; so be it. But then when question period does start for those ministers about whom there has been no notification about being late or absent, for there to be this incredible vacuum in the House on the government side, I would surely want, and I'm sure you would want, to hear from government members. Perhaps the House leader or whip can explain for their caucus as to the absence of these ministers.

**The Speaker:** I thank you very much, and I think the bus has arrived. A few of them have come in. Hopefully we have the members that have the first questions.

**Mr Duncan:** Point of order.

**The Speaker:** Just very quickly, before we go on to the point of order, it is customary for somebody to handle it if the Premier isn't here—the Deputy Premier. I don't know if that's been taken care of or not. We don't even seem to have the Deputy Premier.

On a point of order, the member for Windsor-St Clair.

**Mr Duncan:** Perhaps we could call Bigliardi's to see if the Premier's lunch is finished.

**The Speaker:** Thank you very much.

I'm looking for some direction on whether the Deputy Premier will be here.

**Hon John R. Baird (Minister of Energy, minister responsible for francophone affairs):** Mr Speaker, I find the comments of the member opposite regrettable, but the Deputy Premier of the province of Ontario has arrived.

**Mr Duncan:** On a point of order, Mr Speaker: The opposition was informed that the Premier would be here for question period. Our questions are prepared for the Premier and we would like the opportunity to put those questions to the Premier.

**The Speaker:** I thank the member. As you know, we did wrap up very early—one of the reasons maybe for having a set question period time start. We may want to look at that in the standing orders in the future as way of help.

**Hon Mr Baird:** I'd be certainly strongly in support of us having a fixed time for the start of question period.

I am informed that the Premier is on his way.

**Mr Kormos:** On a point of order, Mr Speaker: In response to one of the comments, I have never had a problem being served at Bigliardi's without a tie, but then I've always picked up my own tab.

1350

#### VISITORS

**Mr Peter Kormos (Niagara Centre):** I would like to take this opportunity to introduce guests in the members' gallery today: Mike Wszolek; Josephine Wszolek, his wife; and their sons Len and Tony Wszolek. The two senior Wszoleks are visiting Queen's Park for the first time in their lives.

**The Speaker:** We welcome our guests.

**Mr Dominic Agostino (Hamilton East):** Mr Speaker, I want to inform the House that yesterday was the birthday of one of our pages, Vanessa Casey from Hamilton East. I want to wish her—I'm sure on behalf of the whole House—a happy birthday one day late.

**The Speaker:** Happy birthday, Vanessa.

**Mr Rick Bartolucci (Sudbury):** On a point of order, Mr Speaker: While we wait for the Premier to arrive, I seek unanimous consent for second and third readings of Bill 7, An Act to amend the Public Sector Salary Disclosure Act.

**The Speaker:** Is there unanimous consent? I'm afraid I heard some noes.

**Mr Bartolucci:** On a point of order, Mr Speaker: While we continue to wait for the Premier to arrive, I seek unanimous consent for second and third readings of Bill 20, An Act to amend the Occupational Health and Safety Act to require the appointment of a workplace carcinoma committee.

**The Speaker:** Is there unanimous consent? I'm afraid I heard some noes.

**Mr Steve Peters (Elgin-Middlesex-London):** On a point of order, Mr Speaker: While we wait for the Premier to arrive, I'd like to take this opportunity to welcome Mr Wayne Munday from the St Thomas and District Chamber of Commerce to Queen's Park today.

**The Speaker:** The only problem with waiting for people to arrive is that the pages and I have to keep getting up and down.

**Mr Michael Bryant (St Paul's):** On a point of order, Mr Speaker: Bill Pr22, An Act respecting the demolition of rental housing units in the City of Toronto, as the Speaker knows, is a private bill—not a private member's bill but a private bill. It's the tradition of this House that whenever a private bill passes private bills committee, it comes before the House and then, as a matter of course, passes.

For some reason, it has never come forward—

**Mr Bert Johnson (Perth-Middlesex):** No, that's not true.

**Mr Bryant:** It is true.

**Mr Johnson:** It's not.

**Mr Bryant:** Name me a private—I'm trying to provide a point of order and you want to have a debate. I would love to have a debate on Pr22.

In any event, in lieu of that, I seek unanimous consent for Bill Pr22 to receive second and third readings in this House.

**The Speaker:** The member has asked for unanimous consent. I'm afraid I heard some noes.

The member will know that that did happen in the last session, and there is the issue of timeliness.

**Mr Bartolucci:** On a point of order, Mr Speaker: While we wait for the arrival of the Premier, I seek unanimous consent for second and third readings of Bill 32, An Act to provide for an interim freeze in the price of certain petroleum products.

**The Speaker:** Is there unanimous consent? Sorry, there is not unanimous consent.

**Hon Janet Ecker (Minister of Finance):** On a point of order, Mr Speaker: After two days' absence of the Leader of the Opposition, 14 cabinet ministers are waiting for the Liberals to start question period.

**The Speaker:** I appreciate it very much. My feeling is hopefully we will get a set question period time in the new standing orders.

As you know, when the Premier says he's going to show up and doesn't show up on time, it allows for this to take place. In the beginning it was fun. We kidded around a little bit, and then all of a sudden the other side gets upset, even though it's their Premier who has not shown up on time. I'll rag the puck for a while.



We can continue to waste time like this, or we can stand down question period and wait for the Premier. In fairness to him, with not having a set period of time—question period sometimes starts at 10 to 2, sometimes 10 after 2, sometimes 2:30—it's very difficult to plan. I understand that. When the House leaders look at the standing orders in the future, they may look at that. I know ministers who are out at speaking engagements or luncheons don't know what time to get back for question period as well.

Having said that, we're always here for prayers at 1:30, and if members come in for the prayers at 1:30, they won't miss anything.

We will continue for a short period of time. I am looking for some guidance because if the Premier—

*Interjections.*

**The Speaker:** Being a goaltender, I am not used to ragging the puck, but I think we have ragged the puck and killed the penalty, so question period can begin.

## ORAL QUESTIONS

### HYDRO RATES

**Mr Dalton McGuinty (Leader of the Opposition):** My question, Speaker, as you might have anticipated, is to the Premier. Premier, Ontario families and businesses are continuing to pay a very heavy price as a result of your gross mismanagement of the hydro issue in Ontario. I want to give you some specific examples so it is brought home to bear on you in a very real fashion.

Mr Monette, living in Ottawa, is a 71-year-old retired man living on a fixed income. His hydro bill has increased by \$100 a month compared to what he was paying last year.

Darlene Falconer lives in Hamilton. She just received her hydro bill. It's \$403. Last year at this time it was \$194.35. She is on disability and cannot work.

Here is a case from St Catharines. Mrs Cathy Calder is living at home. She is a widow. She has two children. One daughter, 12 years of age, is severely disabled. She receives social assistance in the amount of \$970 per month. Her rent alone is \$515 per month. Her hydro bill was \$60. Now it is \$221 as a result of four years of your mismanagement with respect to hydro. She had assistance last time around from the church; she can't get it this time.

My question to you, Premier, on behalf of all those families and thousands of others who are taking it in the shins as a result of your mismanagement: what are you going to do specifically to help those families?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** First of all, the leader of the official opposition will know that this has been in place since about May of this year. I note with some interest that neither he nor the leader of the third party have stood in the House and complained about the fact that prices on

average were lower in the months of May and June. I didn't hear any questions about why these people were paying less in May and June.

I am hearing now, when we've had the hottest summer on record since 1955, that obviously if people use more energy—there are two things that go into the calculation of the price of your electricity in the province: how much power you use and the price per kilowatt hour. Obviously if the weather is hotter and people use more power, they are going to pay more this year than they paid last year.

**Mr McGuinty:** Premier, these people have had their bills doubled. They don't want your sophistry with respect to hydroelectricity policy in Ontario. What they want is some help from you. Their bills have doubled.

And it's not just families. Here is the case of Marc's Fine Foods in Tecumseh. He is a small business man. He operates the place himself, with the help of a few part-timers. He is selling prepared and frozen foods. His bills have gone up over \$1,000 compared to what he was paying before deregulation. His highest bill last year was \$1,200; one bill this year has been \$2,200.

You may dismiss this as being something of concern only to poor families in Ontario, but it's also affecting businesses. What are you going to do to help both families and businesses who are having to experience traumatic hikes in their hydro bills as a result of your gross mismanagement?

**Hon Mr Eves:** Objective observers and consultants who are in this business and people who have been in this business for a long period of time have all indicated that it will take a year of operation under a free market system to determine what the price of power is over a year compared to what they paid last year. Obviously on a daily basis or an hourly basis or a weekly basis, there are going to be wide fluctuations. In the months of May and June the rate was down, I say to the honourable member for Sudbury. I didn't hear him on his feet, screaming, "Stop, my people are paying less than they paid last year." I didn't hear that.

*Interjections.*

**Hon Mr Eves:** And if he will wait—

**The Speaker (Hon Gary Carr):** Premier, take a seat, please. The member for Essex, come to order, please. We can't continue when you're screaming across like that.

Sorry, Premier, for the interruption.

1400

**Hon Mr Eves:** If he will kindly wait until the situation has been in effect for some period of time—we are now responsible, I suppose, on this side of the House for the fact that it's the warmest summer on record since 1955. That's our fault as well, I suppose, I say to the leader of the official—

**The Speaker:** The Premier's time is up.

**Mr McGuinty:** Premier, these people can't wait. These small businesses can't wait. Their bills have skyrocketed as a result of your policies. They need help now, and not from the kind of Premier who denies the existence of global warming, not from the kind of Premier who denies that his policies have resulted in skyrocketing

hydro rates; they need help from a Premier who understands some of the basic challenges that families have got to grapple with, day in and day out, when it comes to balancing their budget. They need help from a Premier who understands that in small business this presents a real and sometimes insurmountable challenge. That's the kind of Premier they're looking to today.

I ask you again on their behalf, Premier: what specifically are you going to do to help these families and these businesses?

**Hon Mr Eves:** The leader of the official opposition is blustering and going on and on about specific individual cases for a month. He's not going on and on—

*Interjections.*

**The Speaker:** Please take a seat. Come to order. This time the member for Hamilton East come to order, please.

The Premier may continue.

**Hon Mr Eves:** This is the same Leader of the Opposition who voted against a tax cut of 41% for the most modest-income Ontarians. That was all right to do. "We don't care about the man or woman who has a taxable income of \$16,000 a year. We don't care that the government wants to reduce their taxes by 41%. I'm against that. I'm voting against that. I'm going to make them pay 41% more."

How do you justify those two gross inconsistencies, I say to the leader of the official opposition? How can you vote against every single one of those tax cuts for modest income earners in Ontario and get up here on your political high horse today and try to cash in?

#### KYOTO PROTOCOL

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Premier. I will convey on your behalf, Premier, to those families and those businesses that they should be more than satisfied with their tax cuts. I'll convey that to them.

Premier, the people of Sault Ste Marie came of age in a sad way in the Mike Harris-Ernie Eves Ontario. Yesterday they recorded their first smog day ever and they had it in October. That's just another in a long line of records that your government has broken when it comes to polluting our air. We had a record number of smog days this year—

*Interjection.*

**Mr McGuinty:** Apparently smog is a matter of some humour and levity to the members of the cabinet. The fact that it's killing 1,900 Ontarians prematurely, that it's sending 13,000 people to emergency rooms—

*Interjections.*

**The Speaker (Hon Gary Carr):** Take a seat. The member for Brampton Centre, come to order right now.

*Interjections.*

**The Speaker:** The leader of the official opposition had the floor.

**Mr McGuinty:** Premier, if it's at all possible, I want to get your position on the Kyoto accord. You're for it

one day; you're against it the next; you're straddling it in between. One day it's going to create jobs; the other day it's going to cost us jobs. I just want to know, are you on Ralph Klein's side or are you on the side of Ontario families and Ontario Liberals, who are strong supporters of the Kyoto accord?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** These would be the same strong supporters who are supporting Paul Martin, I suppose. I don't know where you stand on that, but I see that Paul Martin is now saying exactly what I've been saying for six months, which is very simple: surely the federal government must have a very specific plan as to how it's going to reduce greenhouse gas emissions, comply with the Kyoto accord and not cost 450,000 jobs in the manufacturing sector.

They've had five years to think about it. They've had two years since the Prime Minister of this country verbally said he was going to sign on. Most Premiers across this country are saying what I've been saying for six months: let's sit down and have a very specific plan to reduce greenhouse gases—

*Interjections.*

**The Speaker:** The premier take his seat, please. I apologize for cutting the Premier off on the most important part. The member from Hamilton East, this is your last warning. We're not going to continue with you yelling across like this. We can't keep getting up and down. Again, I apologize to the Premier for cutting that part off. Supplementary.

**Mr McGuinty:** The Premier's idea of strong leadership when it comes to reducing greenhouse gases and cleaning up Ontario air may be to wait for somebody at the federal level to produce some kind of plan so that we might make things better here for Ontarians, but that is not our definition of leadership.

We put forward a plan that will take us three quarters of the way to satisfying this province's responsibilities under the Kyoto accord. We've got a plan to clean up our electricity generation, a plan to clean up our gasoline, a plan to bring back conservation into Ontario. All those things will take us three quarters of the way to satisfying Ontario's responsibilities under the Kyoto accord.

How much longer are you going to wait for somebody at the federal level to do something about cleaning up Ontario air when we've got a plan right in front of you today?

**Hon Mr Eves:** If the leader of the official opposition is standing in this House today saying that any pollution that occurs in Sault Ste Marie occurs only on the Ontario-Canadian side of the border—his seatmate is from Windsor, Ontario. If you shut down every plant in Ontario tomorrow morning at 9 o'clock, you would still have over 90% of the pollution in Windsor, Sault Ste Marie and Sarnia from our great American neighbours to the south. Do you think there's some kind of invisible shield up and down the middle of the Detroit River?

I can't believe the leader of the official opposition actually thinks that if we eliminated every source of



emission of any kind, we stopped every car, every factory—all came to a grinding halt at his bequest tomorrow morning at 9 o'clock—that we would not still have over 90% of the smog in those border communities that we have today.

1410

*Interjections.*

**The Speaker:** OK, that's enough. Starting now we're throwing people out. If you want to keep yapping, you're going to be the first one to go. While we're at it, we're putting the Minister of the Environment on last warning, and the member from Sudbury is on his last warning as well, and we've got Hamilton East and the minister. That's right. If you want to continue on, you will be out of here. The next person who says a word is going to be the next one out. All the members of the cabinet who are laughing: do you want to take me up on this? Be my guest and say something and you'll be out for the day. We're not going to continue on like this. We had our fun in the beginning. Now we start throwing people out—and if it's just me and the pages left, so be it—starting right now.

It is now, I believe, looking at the table, the final supplementary.

**Mr McGuinty:** It's pretty obvious we have a do-nothing Premier in charge today in Ontario. This is a Premier who has raised vacillation to a high art. This is a Premier who says, "So what if 1,900 die prematurely every year as a result of breathing bad air. So what if there are 13,000 who have to go to emergency rooms. So what if the rate of asthma for kids in Ontario has quadrupled in the last 20 years. So what if it costs taxpayers over a billion dollars annually."

*Interjections.*

**The Speaker:** Take a seat. We don't need any of that, because I could have thrown half of your members out too. I will make the decisions in here. The heat is up today and I would ask all members—we've got people sitting in the gallery. Half of them are shaking their heads at the performance going on here. Half of you should sit in this seat for a little bit of time and watch the goings on and see what you look like yelling at each other: duly elected representatives of the province of Ontario and you're screaming at each other like a bunch of eight-year-olds. I can't believe it.

The leader of the official opposition for his final supplementary.

**Mr McGuinty:** Premier, leadership is not an option. You've got the big job. You're going to have to do a few things now. One of those things you have to do is take responsibility for cleaning up Ontario air. I put a plan before you. I've got a plan. It's going to take us three quarters of the way to satisfying our province's responsibilities under the Kyoto accord. By the way, they're laughing at us in the States. We can't go to any international tribunal unless we've got clean hands. Let's clean up our act and then we can assert our rights before the US. I'm asking you again, Premier, where do you specifically stand on the Kyoto accord? Are you with

Ralph Klein or are you with Ontario families and Ontario Liberals?

**Hon Mr Eves:** If he's talking about the Ontario Liberals who are with Paul Martin, who I presume are vastly greater in number than the Ontario Liberals who are with him, then they happen to be with our side of this discussion.

We have taken great steps in the province of Ontario—we've taken them not just through this government but through predecessor governments—to lower emission levels in Ontario. He will know that Premier Harris, for example, a few years ago talked about the phasing out of coal-burning Lakeview by 2005. He will also know that this summer I turned down the sale of Thunder Bay and Atikokan coal-burning plants because the prospective purchaser would not agree to convert them to natural gas or to shut them down. That will be a condition of any sale or they will be shut down. So those are three of the five plants. Lambton and Nanticoke, he will also know, will have technology on board by next year, by 2003, to reduce emission levels—

**The Speaker:** The Premier's time is up.

## HYDRO RATES

**Mr Howard Hampton (Kenora-Rainy River):** I have a question for the Premier. On Monday I visited Paul Eckstein, a dairy farmer near Woodbridge. Hydro-electricity powers his milking machines, his milk cooling system—virtually the whole farm operation. His hydro rates have increased by 72%, and his hydro bills have doubled. Like thousands of small businesses across Ontario, your Hydro privatization and deregulation screw-up has put Paul Eckstein's livelihood in doubt. Does a 72% hydro rate increase tell you that something is wrong?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I know the leader of the third party has a differing point of view when it comes to the marketplace. I know he drove around the province of Ontario in his bus urging people not to sign fixed-price contracts. The same leader of the third party who urged people not to lock in to low prices is now in the Legislature saying, "For the people I encouraged not to lock in to low prices, their prices are going up and down; they have fluctuation in them." Why don't you make up your mind which side of this argument you're on? Should people have locked in to low prices or not? Yes or no?

**Mr Hampton:** I've talked to some of those people you say should have locked in. Their hydro rates have gone up by 40%. Is that the choice? They can get ripped off at a 40% rate increase or a 72% rate increase. That's Ernie Eves's vision of good electricity policy for the province.

Look, Premier, Paul Eckstein hasn't increased his consumption by even a moderate amount. The only increase in consumption is 6%, but his bills have doubled, and his rates have increased by 72%. Is that your answer to Paul Eckstein: he should have signed with one of your door-to-door rip-off artists so he'd only get ripped off by a 40% increase? Is that your answer?

**Hon Mr Eves:** I would appreciate the details of Mr Eckstein and any other particular cases you have with respect to hydro prices increasing by 40% when they are on a contract, or 72%, I believe you stated, when they're not on a contract. I'd appreciate receiving that information.

**Mr Hampton:** Paul Eckstein isn't alone. Consumers across Ontario are being hit with huge hydro bills because of your Hydro privatization and deregulation screw-up. It's also the case in the United States, which you are following. The Consumer Federation of America just released their review of hydro deregulation in that country. That review is called All Pain, No Gain. You should read this report, Premier, because it details that the costs of hydro deregulation for consumers are 10 times greater than any supposed benefit. One example is Montana, which one of your former Ministers of Energy used to talk about. Since deregulation in Montana, prices have gone up four times. In fact, Montana wants to get control of their hydro system again.

Why are you proposing and following a scheme that is all pain and no gain for hydro consumers?

**Hon Mr Eves:** At the end of the day, what the government hopes to achieve by opening up the market in terms of generation of electric power in the province of Ontario is to end up with four, five, six, seven or more major players in the marketplace, all of whom will be competing with each other. Even the leader of the official opposition has said he agrees with that.

**Mr Hampton:** That sounds like California.

**Hon Mr Eves:** Well, this is not California; this is not the United States of America. We have the ability to generate power here in Ontario. In fact, we actually export it at certain times of the year.

#### KYOTO PROTOCOL

**Mr Howard Hampton (Kenora-Rainy River):** Premier, you've said that you won't sign on to the Kyoto Protocol unless you know what the effects will be. The Ontario Medical Association tells you what the effects of signing in will be: it will help prevent 6,000 premature deaths yearly in Ontario due to respiratory problems; it will help save our medical system over \$1 billion a year for treating smog-related illnesses; it will give Ontario a head start in ensuring that any jobs in the old energy sector that are lost are more than offset by new jobs in green energy and energy efficiency.

Premier, now that respected organizations like the Ontario Medical Association are telling you what the positive impacts will be, will you make Ontario a leader by supporting the ratification of Kyoto?

1420

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** To the leader of the third party, obviously the province of Ontario and every other jurisdiction that I can imagine is in favour of reducing greenhouse gas emissions. I agree with his statements about

green energy. I think this is a great opportunity not only for Ontario but for Canada as a whole.

But the Kyoto accord is not the only way to achieve that. All I have said is that leaders across this country should sit down with the Prime Minister and hammer out a plan of exactly how it's going to work.

Are you, for example, advocating the loss of 450,000 jobs in the manufacturing sector, the majority of which are in Ontario, as the Canadian Manufacturers and Exporters Association projects? Are you in favour of eliminating 30,000 jobs in the steel sector of the economy, as that industry suggests might be the effect of signing on to Kyoto without a game plan in effect?

Everybody is in favour of improving the environment. I argue that we can do better than Kyoto. Kyoto is not some magical solution. It is one suggestion as to how you can reduce greenhouse—

**The Speaker (Hon Gary Carr):** The Premier's time is up.

**Mr Hampton:** I think the people of Ontario just got another lecture from your corporate friends on Bay Street. Premier, 77% of the people of Ontario were opposed and are opposed to your scheme of Hydro privatization and deregulation, yet you are listening to your corporate friends on that one just as they rip people off. Some 77% of the people in this province want you to support Kyoto. But what are you doing again? You're going to listen to your corporate friends on Bay Street.

Premier, it is very clear. It's the oil industry, the coal industry and people who want to preserve the corporate profits they have now and who are not willing to make changes that will benefit all of us who are telling you not to support it. Just once, will you listen to the people across Ontario and not pay so much attention to your corporate friends on Bay Street?

**Hon Mr Eves:** There isn't a great coal industry that I'm aware of in the province. Maybe the leader of the third party is aware of one that I'm not.

When you're talking about 77% of Ontarians supporting Kyoto, do those 77% support Kyoto if they lose their job as a result of implementing it willy-nilly? You might want to ask the question fairly when you ask them the question.

#### MINISTER'S EXPENSES

**Mrs Sandra Pupatello (Windsor West):** My question is for the Minister of Tourism. This is just one volume of the expenses that you submitted to the government for taxpayers to pay in the last two years. You and your staff billed over \$100,000. Included in this total, you spent \$3,000 at—

**The Speaker (Hon Gary Carr):** Member, you can refer to it, but you don't need to hold it up as a prop, please. Continue. Sorry for the interruption.

**Mrs Pupatello:** Thank you. You spent \$3,000 at Morton's of Chicago Steakhouse. You spent \$3,000 at Ruth's Chris Steakhouse. You spent more than \$14,000 on Toronto luxury hotel rooms even though you live 45



minutes away and you can drive; you have access to a car and a driver. You once billed a meal that cost \$842, \$252 of that on booze.

Minister, we think you should explain this kind of excess in your ministry, and specifically on your expense account. I think the taxpayers deserve an explanation.

**Hon Cameron Jackson (Minister of Tourism and Recreation):** I want to thank the honourable member for her question. In fact, upon review of our ministry's complete expenses and those of our staff, it was discovered that some of the expenses were inadvertently submitted and claimed in error. Upon learning of this, we immediately took action; we put procedures in place. The money was reimbursed to the government fully and the matter has been taken care of.

**Mrs Papatello:** There is nothing inadvertent about your repayment of those bills. It wasn't inadvertent that you found 44 or 48 of the 752 bills to repay. There are bills in this book of samples that you didn't repay, which include alcohol. On what basis did you choose your 48? There was nothing inadvertent. This was wilful. It was a wilful, repeated and regular submission of expenses to the taxpayer far in excess of what the members of the public would deem to be reasonable as part of your job. This from a government that purports to be a defender of the taxpayer; this from a government that was supposed to be the tax fighter.

Minister, I think you owe us a better explanation. There was nothing inadvertent about 48 bills that you decided to pay one day before you knew this was going to be released to the public. How many more bills are in here that should not have been paid by the public, that you yourself should have paid for, bills that are completely inexcusable? As the public, we think we deserve an explanation for these bills.

**Hon Mr Jackson:** First of all, these expenses fall within a comparable range of previous governments and ministers, both Liberal and NDP. That is a matter of public record.

Cabinet ministers in this province, both in the present and in the past, have been routinely called upon to perform functions, to host delegations, whether they be heads of state, whether they be foreign or domestic journalists, and even lobbyists. Frankly, earlier this summer we hosted a major delegation from the Vatican on three separate occasions during World Youth Day. Ontario wine was served at those functions. Last Sunday night I hosted 21 Asian journalists who were here doing travel stories about Ontario. Again Ontario wines were served at that reception. This Friday night I will be in London, hosting 88 international travel buyers and journalists; I will be hosting those individuals, and again Ontario wine will be served.

#### ACADEMIC TESTING

**Mr Garfield Dunlop (Simcoe North):** My question today is for the Deputy Premier and Minister of Education. As you well know, on Monday the education quality

assessment organization released some very promising numbers with respect to literacy in Ontario. From my understanding, 87% of students enrolled in the academic stream passed both the reading and writing sections of the literacy test. For me, this is good news and is proof that our tough new curriculum is working and that the students, teachers and parents in the province are rising to the challenge.

But as you know, a portion of these students, particularly those in the applied stream, did not do as well. Can you perhaps explain the results to us in the House, the rationale for this test and what those numbers in the applied stream mean?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** If we keep in mind the reason the government created the test, this really was in response to the request of the public—parents, employers and others. They wanted to ensure that students who were graduating had the essential reading and writing skills they would need in their future.

If we take a look at the applied results, although the pass rate was 44%, I think we can be proud of the fact that students and teachers worked very hard, and that is an improvement of 14% from the year before. But, having said that, there is more that needs to be done and we certainly will continue to support our students and teachers to achieve better results in literacy.

**Mr Dunlop:** I realize there is more to do and I am happy to hear that such a marked improvement has occurred in the results not only of our academic stream students but also of our applied students. Clearly, these improved results can be attributed to Ontario's hard-working and excellent teachers, along with our dedicated and hard-working students who are rising to the challenge of our tough new curriculum.

But, Minister, I am still concerned about the applied students. I am worried that many of these students may be at risk of dropping out or simply giving up on school because they can't pass this test. What is our government doing to address the needs of these students to ensure that they have their basic literacy components and can graduate with an Ontario secondary school diploma?

**Hon Mrs Witmer:** I've had the opportunity on two recent occasions to actually meet with students and teachers who are involved in some of the applied programs. I've travelled to Burlington and Guelph. I can tell you that there has been a personal commitment made on the part of school boards throughout Ontario, on the part of dedicated, hardworking teachers and principals. There's a tremendous desire for the students to improve the rate of success, the achievement.

If we take a look at the Limestone District School Board, for example, they decided after the first results came out that they could do better and they got to work as a team. I have to tell you, they actually increased their results this year by some 19%. They did that by giving their students extra help during the summer, by bringing in tutors from Queen's University and by providing other remediation programs. What this information we've just

received is going to allow us to do is to better help those students.

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#### MINISTER'S EXPENSES

**Mrs Sandra Pupatello (Windsor West):** I'd like to return to the Minister of Tourism. Minister, you suggested a moment ago that you had a number of inadvertent submissions of expenses, that at the 11th hour, one day before your expenses were to be made public, you repaid \$7,000. There is nothing inadvertent about the expense claim form you have to fill out and then sign at the bottom. It's not a matter of an expense chit that got in the pile by accident and, "Oh, Jeez, that was inadvertent." This is your statement that you have to sign. You are the authorizing signature on it.

I believe the taxpayers need to have an explanation for the kind of excesses that are found in your ministry of over \$100,000—Toronto's finest steakhouses; the best hotels, when you live 45 minutes away. You come from Burlington. You have a car and a driver available to you. We are here trying to defend people who can't pay an electricity bill and you're out having the best steak at Morton's. Please stand up and give us an explanation for this kind of excess. It's just not to be tolerated.

**Hon Cameron Jackson (Minister of Tourism and Recreation):** I have indicated, first of all, that I do not have a driver. I drive myself, and I have throughout my tenure in cabinet. I do not have accommodation in downtown Toronto. Management Board guidelines are very clear. They were not violated. In fact, it specifically says that members and staff, if they are detained or required for late-night meetings or early morning meetings, can apply for accommodation support from time to time.

The fact of the matter is that, as minister, I'm called upon to host international dignitaries. In fact, in November I will be hosting all of Canada's tourism ministers. I really wasn't thinking of taking them to the Swiss Chalet. I was figuring on taking them to a nice restaurant because Toronto is very proud of some very good restaurants in this city.

**Mrs Pupatello:** I can't accept that as an answer because when you did your cursory review to come up with the \$7,000 you should repay for those expenses that were against the rules, you forgot this one. You forgot the one from Bigliardi's that included \$120 just in the tip alone. You forgot this one. Of your \$145 dinner bill, \$40 was in booze. It's against the rules, but you didn't pay this one back.

My question is, how can we be certain that the \$7,000 you decided to pay back is in fact the correct amount that was against the rules? These are your rules. You know what they are. You didn't inadvertently slip them in, because you had to fill out these statements of expenses and then sign them, so it wasn't inadvertent, it was deliberate, it was methodical and it was repetitive.

This has got to stop. Your repayment has to go far beyond that \$7,000. Everyone in this House is embar-

rassed by the fact that you look like you're living a gluttonous lifestyle on the back of the taxpayer. Please give us an explanation for these excesses.

**Hon Mr Jackson:** I have indicated that it has been the practice of this government and previous governments, Liberal or NDP—I believe one of the reasons the question is being asked by an opposition member who's never served in a previous Liberal or NDP government is partially because they don't get the responsibilities as has been the custom in this province. I'll give you one example. When Jim Bradley was the minister, in a Liberal government in a Liberal cabinet, responsible for marketing the Niagara Peninsula, would you have us believe that every time international delegates came to look at purchasing wine, he would tell them they must drink water and not drink Ontario wine? That was his mandate in those days, and it's the mandate of the new minister to market this province. I think it would be inappropriate to suggest that these activities have not been going on for years.

#### JUSTICE SYSTEM

**Mrs Julia Munro (York North):** My question is for the Attorney General. Monday's speech from the throne addressed a number of important justice issues. There are pledges from Ottawa to reform the Criminal Code to increase penalties for abuse and neglect, and also to improve service for children involved in the court system as victims or witnesses. There is also a promise to reform family law with a greater focus on the interests of children, as well as an expansion of the Unified Family Court system. More interestingly, there is a promise that they will work with provinces to renew the legal aid system so that Canadians can access legal representation. What is your reaction to these announcements?

**Hon David Young (Attorney General, minister responsible for native affairs):** I thank the honourable member for the question. Certainly there are a number of commitments in the federal throne speech that we welcome. I want to particularly highlight the fact that they have announced a willingness to move forward with an expansion of the Unified Family Court system. It is a system that has proven to be one that shows greater sensitivity for the needs of those involved in very difficult and emotional court proceedings.

We would appreciate having amendments to the Criminal Code that would allow for greater penalties and for stronger protection of children who find themselves in abusive situations. I would ask the federal government to mirror the changes we have made to the Child and Family Services Act. Similar action by them would certainly be welcome.

There was also reference to legal aid in there, and I appreciate that. The federal government used to contribute about 35% of the total legal aid budget in this province—they're down to about 12%. For those of you who think that sounds familiar, it is because of course it's very analogous to what has happened in health care. We



hope the federal government will re-enter this field and allow for greater spending in this very important area.

**Mrs Munro:** Certainly a greater commitment by the federal government would be welcome. However, there were a number of long-standing issues that were not discussed in the throne speech. There was no commitment to move forward on needed amendments to the DNA data bank. There was also no mention of changing the Criminal Code to require reverse onus bail hearings in domestic violence cases. Are you concerned that these issues will not be part of the federal government's agenda this fall? Will you keep the pressure on Ottawa to address those problems?

**Hon Mr Young:** I'll be meeting with Minister Cauchon in about 10 days' time. That is in anticipation of the federal-provincial—territorial conference that will begin early next month. There are a number of issues that we have prioritized and intend to bring forward again.

I must tell you first and foremost is that of the DNA data bank. It is our view that there some amendments that must be made in order to collect DNA evidence from those in custody right now, some of whom will be released. There are some very easy changes that should be made that every province has agreed must be done. I will continue to encourage the federal government to move in that direction.

Similarly, as was indicated in the Hadley jury recommendations that we received, it is essential that there be a change to the Criminal Code, in our respectful opinion, that would ensure that for anyone involved in a domestic abuse situation, if they breach their bail they automatically go to jail. We would encourage the federal government to move in that direction forthwith.

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### DIAGNOSTIC SERVICES

**Ms Shelley Martel (Nickel Belt):** I have a question for the Premier. A report released today by the Ontario Association of Radiologists is truly shocking, in terms of the number of people who are waiting for basic diagnostic tests and the number of communities where people are waiting. In the north, for example, people are waiting 17 weeks for an ultrasound in Sault Ste Marie, seven weeks in North Bay at the Scollard site, six weeks in Kenora. They're waiting 12 weeks for nuclear medicine tests for cardiac disease in Sault Ste Marie, six weeks for the same in Kenora and Timmins.

Premier, the lists are long and the waits can be deadly for some of these patients. The association this morning presented your government with a series of recommendations to deal with these waiting lists. Are you prepared to implement them?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I'll refer the question to the Minister of Health.

**Hon Tony Clement (Minister of Health and Long-Term Care):** We have just obtained a copy of the report ourselves and are reviewing it in quite a detailed manner.

I can tell you that the last time this organization did take part in these examinations, some inaccuracies were found, for instance in Peterborough and Windsor.

I can tell you that in the 2002-03 budget, the Ernie Eves government has committed \$250 million in additional funding for diagnostic services. I can tell you that another report, the Fraser Institute report that was published recently, said that Ontario had the shortest waiting lists in Canada.

I will take this report as seriously as it deserves to be treated. I understand there were some methodological issues that we will examine, and we will give it the fullest consideration.

**Ms Martel:** Minister, I don't think you can underestimate how serious this situation is. Let me give you some more examples: in Sault Ste Marie, people are waiting seven weeks for a mammogram. Women who are at risk for osteoporosis are waiting 12 weeks in Sault Ste Marie, 10 weeks in Sudbury and seven weeks at the Scollard site in North Bay for a bone density test. These waiting lists for these tests are repeated time and again right across the province in communities that are big or small and in community-based or large teaching hospitals.

You need to look seriously at these recommendations, and frankly you need to implement them as soon as possible. Will you do that, Minister?

**Hon Mr Clement:** I want to assure this House that the Ernie Eves government takes its responsibilities extremely seriously. You mentioned mammography and the Ontario breast screening program. My information is that the average waiting time to have mammography done is approximately one to two weeks, not the five, seven or nine weeks you just mentioned.

Again, I am confronted with this data; it seems to be at variance with data that has been put forward by other reputable organizations. However, I take the report seriously. I want to examine the report and ensure that data we are collecting from other independent sources is verifiable. If this report uncovers some additional information, of course we'll take it seriously. But I have to say this report is at variance with other independent tests that have been done of our health care system that have said Ontario is either the best or absolutely tied with the best with what is on offer in the rest of Canada, and we in this government are proud of our record.

### MINISTER'S EXPENSES

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Premier. I want ask about the behaviour of your Minister of Tourism and about your standards as Premier and first minister. I think most Ontario families, when they become aware of these facts that have been put forward today and will appear in the media this evening and tomorrow, will be shocked. I think most families struggle to make ends meet, day in and day out. I think most families are very interested in where you stand on this kind of behaviour in your cabinet

and in your government. Can you tell me exactly what are you going to do, understanding what this minister has done?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** There are rules that cabinet ministers are supposed to follow. I will certainly look into whether or not this particular minister has followed those rules in this particular case—we had this discussion in the House a few months ago with respect to another cabinet minister. I firmly believe that if ministers have stepped over those bounds, inadvertently or otherwise, it is incumbent upon them to repay to the province and to the people of Ontario any and all sums of money that were spent in excess of or outside the bounds of those rules.

**Mr McGuinty:** I gather there's going to be some kind of process. I'm sure there's going to some independent review of these expenses, which will be made public, and we'll understand which were inappropriate and which should be reimbursed. It's pretty clear that some of these are patently inappropriate; some of these are absolutely shocking. What I want to know from you is what responsibility you will now assume as Premier. What are you going to do to set the standards so you can apprise all other ministers of your high standards and so you can tell Ontario families you're not going to put up with this kind of nonsense, you understand the daily struggles that they go through, you understand what it's like to have to pay 200 bucks more for a hydro bill? What they want to know from you today, Premier, is, what exactly are you going to do, knowing what this minister has done?

**Hon Mr Eves:** As I said to the leader of the official opposition in response to his initial question, I will look into the matter of this particular minister's expenses; I will reassure you and the House and the people of Ontario that the rules that are set for conduct for cabinet ministers are not breached. I haven't prejudged the expenses of the honourable member, but I will certainly look into it and I will make sure that the right thing is done.

#### OAK RIDGES MORaine

**Mr Frank Klees (Oak Ridges):** My question is to the Minister of Municipal Affairs and Housing. Minister, this House passed unanimously the Oak Ridges Moraine Protection Act. My constituents and people across the province are particularly interested in how that act is being implemented. I want to thank you for meeting in my riding at the Oak Ridges Public School to discuss with the teachers there, as well as the students, who particularly have a vested interest in the future of this province, how that Oak Ridges Moraine Protection Act is being implemented. I'm interested to know how stakeholders are responding to that piece of legislation that this House passed unanimously.

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** As the member mentioned, this was a great accomplishment. I had the pleasure of being with

Mr Klees at a school in his riding to launch a booklet to explain it. It's being implemented in a number of ways.

The Legislature unanimously approved the plan, which was created by a panel of people representative of environmental groups, municipal leaders and business leaders. This is truly a great accomplishment. It was recognized by the Environmental Commissioner last week in his report where he's giving the award this year to the Ministry of Municipal Affairs and Housing for this great accomplishment.

Municipal governments have to bring their official plans into compliance. There's money for conservation authorities to come up with the water budget. Truly, this is an accomplishment that we should all be proud of in this House.

**Mr Klees:** The Environmental Commissioner, in his report, also specifically made the following statement: "It is essential that the elaborate details of the proposed land swap and the details of implementing the broad plan on the ground are carefully monitored and adjusted where necessary so that the spirit and the intent of the plan are realized." Minister, can you tell us what you're doing to ensure that that in fact will be done?

**Hon Mr Hodgson:** As the member points out, this plan will be implemented, what was passed by the Legislature and what was recommended by the advisory panel. We couldn't find an on-site solution for the Richmond Hill corridor, and it was a very important feature of the Oak Ridges moraine to have it connected across 160 kilometres east and west. They wanted to have a robust corridor. The panel recommended that David Crombie mediate a settlement that was before the OMB, and that was successfully done. But it requires a land transfer and a land swap with lands that are in the local municipality's official plan for a settlement in Seaton. Mr Crombie is right now consulting on the principles for that swap, and it's following according to plan.

#### MINISTER'S EXPENSES

**Mrs Sandra Pupatello (Windsor West):** My question is for the Premier of Ontario. Many of us have been aware of these expenses out of the Minister of Tourism for some time. We'd like you to tell the House when you and your office were aware of these excessive expenses from that minister. Just tell us when you became aware of this.

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** A few weeks ago a member of my staff came to me and suggested to me that the minister's expenses along with, I might add, other members' expenses had been asked for under the freedom of information legislation. My response was just to ensure that the minister does the right thing if there are any breaches of any rules or guidelines that have been set down; that they are complied with, and if they haven't been complied with, then the individual, whoever it is, will have to repay that amount to the Legislative Assembly of Ontario and to the people of Ontario.



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**Mrs Papatello:** Premier, you're the representative of all the members of your cabinet. You knew a month ago about this kind of excess. You knew the details a month ago. Today we ask a question about it in the House and suddenly you decide that you're going to get on a white horse and protect the taxpayer. You have not set up a process to say that the \$7,000 that was paid back was in fact all of the appropriate expenses to be paid back. I want to know, Premier, if you've set something in motion to ensure that your own cabinet ministers are actually paying back expenses, and if they aren't, they have broken the rules.

We have a host of examples where bills were not paid back by this minister and they included expenses that the taxpayers should not have been paying for. If you knew a month ago and you didn't see to it that all the inappropriate expenses were already paid back, I'm asking you, Premier, what kind of standard are you setting, to walk into the House today, after we've made it public, and suddenly become the taxpayers' protector?

**Hon Mr Eves:** The honourable member obviously didn't listen to the answer to the first question. I did not have knowledge of the particulars of this particular minister's expenditures until today, as a matter of fact. You asked me when I first had knowledge of the request for Minister Jackson's expenses and I said that I learned through my staff several weeks ago that his expenses had been FOI'd. I asked that the right thing be done. If the right thing has not been done, I will see to it that it is done.

### INVESTOR PROTECTION

**Mr Joseph Spina (Brampton Centre):** My question is for the Minister of Finance. Minister, many of us have followed the news of accounting and corporate problems in the United States. Obviously reports of those scandals and the effect they've had on the markets are quite troubling. Brampton is home to numerous corporate headquarters and I have people in my riding asking me about Ontario's markets and what protection we have for the people of Ontario. What is Ontario doing, not just to ensure the jobs in these companies but also for the protection of our consumers?

**Hon Janet Ecker (Minister of Finance):** I'd like to thank the member from Brampton Centre for the excellent question. It's extremely important that we take steps in Ontario to protect our consumers and investors, to make sure there is not fraud in the system and to make sure that we have strong, competitive markets here in Ontario and in Canada.

While we have some advantages in the rules we have in Ontario—for example, continuous disclosure has been part of the regulatory regime here—we recognize the need to do more. The Ontario Securities Commission has been working with the industry, with government and with our colleagues across the country to do that. For example, they have increased enforcement. They work

with the Canadian Public Accountability Board to ensure more rigorous oversight of accounting firms that audit public companies. We have the five-year review. There are a number of things we have been doing, reviewing the disclosure of our major companies through the OSC and proceeding with regulatory changes this fall.

**Mr Spina:** There were comments made this morning by David Brown, the chair of the Ontario Securities Commission. In speaking to the economic club of Toronto, Mr Brown discussed the potential benefits of a national regulatory system. This idea was raised in the federal throne speech; I'm not sure they're going to go very far with it. Nevertheless, what is our response as a province to this proposal that there be a solid, consistent national regulatory system?

**Hon Mrs Ecker:** If we are looking at making sure we have effective regulations, good consumer protection and good, strong markets in Canada, I think moving away from 13 separate regulatory bodies is an important step. Ontario has long been in favour of moving to a national securities regulator or national securities regulation to harmonize our rules. Through the OSC there have been a number of informal consultations and conversations with our colleagues across the country to this end and we are prepared to work with either the federal government or the other provinces to see if we cannot indeed improve protection for investors and consumers here in this province and make sure our markets are attractive for investment, not only from across the country but from overseas as well.

### TORONTO ISLANDS COMMUNITY

**Mr Michael Prue (Beaches-East York):** My question is to the Premier. Yesterday the Minister of the Environment went on a bit of a diatribe about the residents of the Toronto Islands community. Without a shred of authority or evidence he wants to literally force people from their homes. He dismissed people with legal and lawful binding contracts as squatters. The legislation is quite clear as to what is prescribed that can be done. It is the purchase price for sale of homes, prescribing the amounts to be paid to the island trust, or prescribing a purchase price for land lease.

Premier, a two-part question: first, who speaks for your government on this issue? Is it you, is it the Minister of Municipal Affairs and Housing or is it Chris Stockwell? Second, will you stay within the law as it exists at this time and allow the law-abiding citizens to get on with their lives?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** The Minister of Municipal Affairs speaks for the government on this issue. Different members may have different opinions on different subjects at different times. This is an issue that I understand the Minister of the Environment feels very passionately about. Unfortunately for him, it's not within his purview to make those decisions.

## MINISTERS' ATTENDANCE

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** Point of order.

**The Speaker (Hon Gary Carr):** Reluctantly, the government House leader on a point of order.

*Interjections.*

**Hon Mr Stockwell:** No, Mr Speaker, mine is a point of order arising from earlier on today. Under the standing orders that we have before this House, there are opportunities for opposition parties, should a minister or the Premier not be in the House at the time they wish to ask a question, to set the question aside. I appreciate the fact there is some leeway and latitude provided for that. It seemed like today was one of those perfect opportunities—I will make this a point of order and ask you to consider it—when we could have set those questions aside. It clearly didn't happen and it turned into a rather rambunctious period of time. I would only ask, if you could consider it, that in future we invoke this clause in the standing orders.

**The Speaker:** The problem we've got is that sometimes there are members here to ask what's happening. I looked at the benches and there was nobody here, including yourself, to ask. You are very helpful, I know, in circumstances like this in saying, "The Premier's just coming."

I explained that it is very difficult without having a time frame. Question period could be in 45 minutes and it's very difficult for ministers, and particularly for the Premier, who's very busy, to plan his time.

Normally what we do—we have done this in the past. The member for St Catharines has some fun doing a point of order and the member comes in. In future, what will happen is, if the Premier or ministers are late because of the time difference and we get through quickly, perhaps someone could please let us know what the circumstances are, but when we look at the government benches and there's no one there, it makes it very difficult, quite frankly.

Today was an exceptional day. We got through very fast. We will take it into consideration. What I find strange is that we normally can have a little bit of fun in here and carry on. Quite frankly, it was the government benches. There was nothing out of the ordinary. There's a little bit of fun. We were going into some of the bills doing unanimous consent, and it was the government members who turned it into something rather nasty with their point of order as well.

In future, I would ask that all members, if they are planning to be here, be here on time, and if they're not going to be here, the very simple solution is to let everybody know.

I thank the member for his help. I'm sure, like we've done in the past—holy smoke, the most difficult question is, what's going to happen next on petitions?

I would ask all members' co-operation in this. It is not something that should take a great deal. This House should be able to operate on something as simple as

members arriving without getting into heated exchanges and heated debates. I understand that when we get into matters of policy that isn't always possible, but surely the honourable members can work it out, getting the questions on in an orderly fashion.

I appreciate the government House leader's intervention. I believe it is now time for petitions.

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## PETITIONS

## CHILDREN'S HEALTH SERVICES

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** I have a petition signed by hundreds of my constituents living in communities like Pembroke, Petawawa, Beachburg and Deep River. These petitioners request the following:

"To the Legislative Assembly of Ontario:

"Whereas the province is considering closing the cardiac unit at the Children's Hospital of Eastern Ontario, Ottawa, we request that the Legislative Assembly refrain from this action which will cost the lives of children in this area who require emergency care;

"We, the undersigned, petition the Legislative Assembly of Ontario"—and the government—"as follows:

"Keep open the full cardiac unit at Children's Hospital of Eastern Ontario, Ottawa, Ontario."

I'm happy to personally endorse and sign this said petition.

## LONG-TERM CARE

**Ms Shelley Martel (Nickel Belt):** I have a petition that has been sent to me by St Paul's United Church in Sudbury. It reads as follows:

"Whereas the Conservative government increased fees paid by Ontario seniors and other vulnerable people living in long-term-care facilities by 15% instead of providing adequate government funding for long-term care; and

"Whereas the Conservative government has therefore shifted the costs of long-term care on to the backs of the frail elderly and their families; and

"Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

"Whereas in 1996 Ontario abandoned its minimum requirement of 2.25 hours of nursing care per nursing home resident; and

"Whereas the government's own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

"Whereas, according to the government's own study, government cutbacks have resulted in Ontario seniors receiving just 14 minutes a day of care from a registered nurse; and



"Whereas the report also found that Ontario residents receive the least nursing, bathing and general care of nine other comparable locations;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Conservative government eliminate the 15% fee increase for residents in long-term-care facilities, increase the number of nursing care hours for each resident to a minimum of 3.5 hours per day, and provide stable, increased funding to ensure quality care is there for Ontario residents in long-term-care facilities."

I agree with the petitioners, and I have affixed my signature to this.

#### COMMUNITY CARE HEALTH CENTRE

**Mr Marcel Beaubien (Lambton-Kent-Middlesex):** I have a petition which reads as follows:

"Whereas Sarnia-Point Edward and area is experiencing a crisis in a shortage of health care professionals, specifically doctors; and

"Whereas community health care centres are a proven primary health care system that can attract professionals and deliver primary health care in a cost-effective, efficient manner;

"Be it resolved that the Legislative Assembly of Ontario approve a community health care centre for Sarnia-Point Edward and area as soon as possible."

#### NATURAL GAS RATES

**Mr Pat Hoy (Chatham-Kent Essex):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the Ontario Energy Board has consented to allow Union Gas to retroactively charge \$40 per month for a three-month period to recover additional system operation costs that occurred during the winter of 2000-01 totalling approximately \$150 million; and

"Whereas Union Gas will recover accrued costs over the peak heating season, causing undue hardship; and

"Whereas this retroactive charge will affect all customers who receive Union Gas, including new homeowners and new customers to Union Gas;

"Therefore, be it resolved that we, the undersigned, demand that the Ernie Eves government issue a policy directive under section 27.1 of the Ontario Energy Board Act disallowing the retroactive hike granted to Union Gas; and we further demand that the Legislature examine the Ontario Energy Board, its processes and its resources, and make changes that will protect consumers from further retroactive rate increases."

This petition is signed by a number of residents of Chatham, Blenheim and Ridgelytown.

RICK KERR

**Mr John O'Toole (Durham):** It's my privilege to present a petition to the Legislative Assembly of Ontario

on behalf of my constituents. By the way, most of them are students from Durham College.

"Whereas Rick Kerr has distinguished himself as a dedicated member of Durham College through 25 years of service; and

"Whereas his commitment to student success and professionalism has set an outstanding example for Ontario's college education sector; and

"Whereas his nickname of 'Captain KPI' should in no way diminish his accomplishments of organizing program mapping when no one else would; and

"Whereas Rick's proficiency as a squash player and his status as the most physically fit person on campus has earned him only passing glares; and

"Whereas his commitment to student fashion has made the police foundations program clothing order an international event for the textile industry; and

"Whereas the Kerr family has an outstanding reputation in the community for teaching, and Rick also teaches;

"We, the undersigned, petition the Legislative Assembly of Ontario to recognize Rick Kerr's long service and dedication to the Durham College community as follows."

I'm going to sign this in support.

#### LONG-TERM CARE

**Mr Alvin Curling (Scarborough-Rouge River):** I have a petition addressed to the Legislative Assembly of Ontario.

"Whereas the Eves government has increased the fees paid for by seniors and the most vulnerable living in long-term-care facilities by 15% or \$7.02 per diem effective August 1, 2002; and

"Whereas this fee increase will cost seniors and our most vulnerable more than \$200 a month; and

"Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

"Whereas the increase in the government's own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

"Whereas according to the government's own funded study, Ontario ranks last amongst comparable jurisdictions in the amount of time provided to a resident for nursing and personal care; and

"Whereas the long-term-care funding partnership has been based on government accepting the responsibility to fund the care and services that residents need; and

"Whereas government needs to increase long-term-care operating funding by \$750 million over the next three years to raise the level of service for Ontario's long-term-care residents to those in Saskatchewan in 1999; and

"Whereas this province has been built by seniors who should be able to live out their lives with dignity, respect and in comfort in this province;

"We the undersigned petition the Legislative Assembly of Ontario as follows:

"Demand that Premier Eves reduce his 15% fee increase on seniors and the most vulnerable living in long-term-care facilities and increase provincial government support for nursing and personal care to adequate levels."

I will sign this in support and, Carley, I will ask you to give it to the table.

RICK KERR

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** I'm happy to present this petition on behalf of the people of Ontario as well as my esteemed friend the member for Durham. The petition reads as follows—I know you're paying full attention; I see that.

"To the Ontario Legislative Assembly:

"Whereas Rick Kerr has distinguished himself as a dedicated member of Durham College through 25 years of service; and

"Whereas his commitment to student success and professionalism has set an outstanding example for Ontario's college education sector; and

"Whereas his nickname of 'Captain KPI' should in no way diminish his accomplishments of organizing program mapping where no one else would; and

"Whereas Rick's proficiency as a squash player and his status as the most physically fit person on campus has earned him only passing glares; and

"Whereas his commitment to student fashion has made the police foundations program clothing order an international event for the textile industry; and

"Whereas the Kerr family has an outstanding reputation in the community for teaching, and Rick also teaches;

"We, the undersigned, petition the Legislative Assembly of Ontario to recognize Rick Kerr's long service and dedication to the Durham College community as follows."

I'm pleased to send this petition down to the table with Rachel.

HIGHWAY 69

**Mr Rick Bartolucci (Sudbury):** This petition is to the Legislative Assembly of Ontario.

"Whereas modern highways are economic lifelines for the north; and

"Whereas the stretch of Highway 69 from Sudbury south to Parry Sound is a treacherous road with a trail of death and destruction; and

"Whereas the carnage on Highway 69 has been staggering; and

"Whereas the Harris-Eves government has shown gross irresponsibility in not four-laning the stretch of Highway 69 between Sudbury and Parry Sound; and

"Whereas immediate action is needed to prevent more needless loss of life; and

"Whereas it is the responsibility of a government to provide safe roads for its citizens, and the Eves government has failed to do so;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to urge the Eves government to begin construction immediately and four-lane Highway 69 between Sudbury and Parry Sound so that the carnage on Death Road North will cease."

Of course, I affix my signature, and I give it to our page Carley Gallagher from Peterborough to bring to the table.

1510

RICK KERR

**Mr Ernie Hardeman (Oxford):** "Whereas Rick Kerr has distinguished himself as a dedicated member of Durham College through 25 years of service; and

"Whereas his commitment to student success and professionalism has set an outstanding example for Ontario's college education sector; and

"Whereas his nickname of 'Captain KPI' should in no way diminish his accomplishments of organizing program mapping when no one else would; and

"Whereas Rick's proficiency as a squash player and his status as the most physically fit person on campus has earned him only passing glares; and

"Whereas his commitment to student fashion has made the police foundations program clothing order an international event for the textile industry; and

"Whereas the Kerr family has an outstanding reputation in the community for teaching, and Rick also teaches;

"We, the undersigned, petition the Legislative Assembly of Ontario to recognize Rick Kerr's long service and dedication to Durham College."

I'm proud to present this petition.

LONG-TERM CARE

**Mr John Gerretsen (Kingston and the Islands):** I have hundreds of signed petitions here from people from Oakville, Kingston, Markham, Toronto, Cornwall and many other places. It reads as follows:

"Whereas the Ernie Eves government has increased the fees paid by seniors and the most vulnerable living in long-term-care facilities by 15%, or \$7.02 per diem, effective August 1, 2002;

"Whereas this fee will cost seniors and our most vulnerable more than \$200 a month; and

"Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario;

"Whereas the increase in the government's own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

"Whereas, according to the government's own funded study, Ontario ranks last among comparable jurisdictions in the amount of time provided to a resident for nursing and personal care; and



"Whereas the long-term care funding partnership has been based on government accepting the responsibility to fund the care and services that residents need; and

"Whereas the government needs to increase long-term-care operating funding by \$750 million over the next three years to raise the level of service for Ontario's long-term-care residents to those in Saskatchewan in 1999; and

"Whereas this province has been built by seniors, who should be able to live out their lives with dignity, respect and in comfort in this province;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that Premier Eves reduce his 15% fee increase on seniors and the most vulnerable living in long-term-care facilities and increase provincial government support for nursing and personal care to adequate levels."

I agree with the petition and I've signed it accordingly.

#### AMBULANCE SERVICES

**Mr James J. Bradley (St Catharines):** This is to the Legislative Assembly of Ontario.

"Whereas the Ontario Conservative government hastily amalgamated Niagara's ambulance dispatch services into the Hamilton Central Ambulance Communication Centre;

"Whereas an independent review of Hamilton Central Ambulance Communication Centre found several major shortcomings, including inexperienced dispatchers, high call volume and out-of-date equipment, hindering the dispatch of ambulances in Niagara and in other parts of the province;

"Whereas poor training of central ambulance communication centre dispatchers by the Ministry of Health and Long-Term Care has led to improper emergency coding, resource misallocation and waste and increased wait times for those requiring ambulance services;

"Whereas the Central Ambulance Communication Centre dispatchers are handling 1,300 more calls a year than recommended by the Ministry of Health and Long-Term Care;

"Whereas these shortcomings in ambulance service restructuring are putting lives at risk in Niagara, Hamilton and throughout the province;

"Whereas the Ministry of Health and Long-Term Care has been in possession of the independent review since October 31, 2001, which provides recommendations to greatly improve ambulance dispatch services in Niagara and Hamilton;

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately act upon recommendations presented in the independent review of the Central Ambulance Communication Centre and eliminate the grievous imperfections which are placing our citizens at risk."

I affix my signature; I'm in complete agreement.

*Interjections.*

**The Acting Speaker (Mr Bert Johnson):** Excuse me. I hate to interrupt the conversations going on back and forth across the floor; I really hate to. But I'm going to, and I will. I'll even stop them if it's necessary.

#### LONG-TERM CARE

**Mr John Gerretsen (Kingston and the Islands):** I have a further petition dealing with long-term care which is slightly different from the earlier one I read. It reads as follows:

"Whereas the Eves government has increased the fees paid by seniors and the most vulnerable living in long-term-care facilities by 15% over three years, or \$3.02 per diem in the first year and \$2 in the second year and \$2 in the third year, effective September 1, 2002;

"Whereas this increase will cost seniors and our most vulnerable more than \$200 per month after three years;

"Whereas this increase is above the rent increase guidelines for tenants in the province of Ontario for the year 2002;

"Whereas, according to the government's own funded study, Ontario will rank last among comparable jurisdictions in the amount of time provided to a resident for nursing and personal care;

"Whereas the long-term-care funding partnership has been based on government accepting the responsibility to fund the care and services that residents need; and

"Whereas the government needs to increase long-term-care operating funding by \$750 million over the next three years to raise the level for Ontario's long-term-care residents to those in Saskatchewan; and

"Whereas this province has been built by seniors, who should be able to live out their lives with dignity, respect and in the comfort of this province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that Premier Eves reduce the 15% increase over three years in accommodation costs to no more than the cost-of-living increase annually and the provincial government provide adequate funding for nursing and personal care to a level that is at least the average standard for nursing and personal care in those 10 jurisdictions included in the government's own funded study."

I also agree with this petition. We request that the government act accordingly and I will file it now with the clerk.

**Hon John R. Baird (Minister of Energy, minister responsible for francophone affairs):** On a point of order, Mr Speaker: I'd like to ask for unanimous consent to see if the House would agree to put forward the following motion without debate and have a vote on it:

Be it resolved that the Legislative Assembly of Ontario ask the CBC to reinstate Ron MacLean.

**The Acting Speaker (Mr Bert Johnson):** I think the standing orders define points of order and that probably qualifies, but I'm really questioning it. But I will ask the

members here: is there unanimous consent? No. I assume that was a little frivolous.

## ORDERS OF THE DAY

### SUSTAINABLE WATER AND SEWAGE SYSTEMS ACT, 2002

#### LOI DE 2002 SUR LA DURABILITÉ DES RÉSEAUX D'EAU ET D'ÉGOUTS

Mr Stockwell moved second reading of the following bill:

Bill 175, An Act respecting the cost of water and waste water services / Projet de loi 175, Loi concernant le coût des services d'approvisionnement en eau et des services relatifs aux eaux usées.

**The Acting Speaker (Mr Bert Johnson):** To start off debate, there will be leadoff time, and that will be used, initially anyway, by the Minister of Environment and chief government whip.

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** I'm splitting my time with Mr Martiniuk and Mr Hardeman before I start my speech.

I appreciate the opportunity to discuss this bill. I think it's a good bill to have a good debate on. I think it's a bill that we can discuss in rational terms and come to what I think will be a consensus amongst this House. I'll tell you flat out that I'm not opposed to seeing this bill go to committee. I'm not opposed to seeing this bill dealt with at committee and amendments offered up by both sides. It's a bill—

**Ms Shelley Martel (Nickel Belt):** An hour or two?

**Hon Mr Stockwell:** No. I think it's a bill that is truly non-partisan, because, obviously, everybody understands the water issue we face today and the cost of sustainable water and sewage systems in Ontario. It's hard to imagine sewage systems being a political issue. I used to say, on local council, it's hard to believe we can have political issues on poop-and-scoop bylaws. In a lot of respects you would get down to the point that we all are trying to achieve the same thing with this bill. We're trying to achieve clean, safe drinking water, properly treated, properly capitalized and properly dealt with for the people of Ontario.

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I'm looking forward, frankly, to the discussion on this bill. I don't think it will be a lot of rhetoric. I don't think there is going to be a lot of hand-wringing and name-calling, because I think we can probably get ourselves together on this one to try and build a bill that the people in Ontario would accept. I know my friend from St Catharines is stalwart at looking for compromise, never political, hardly ever partisan, and will find his way clear to maintain that apolitical composure he brings to this place and will be speaking only when he truly wants to

speak on certain issues, not just jumping up at any point in the discussions to offer an opinion, get his mug on TV or be looking for CAT scans or anything like that for his local municipalities.

Petitions would be a perfect example. He brings in a number of good petitions here. We've seen them with two or three people's names on them, so he's obviously done a lot of road work.

This government is sparing no effort to give Ontario residents access to clean, safe drinking water. We are committed to enforcing the best and toughest drinking water standards in the world. I think that clearly, from the Walkerton report by Justice O'Connor, and the embracing of that report by the Premier of Ontario, it's fairly obvious. All 93 recommendations were embraced by the Premier and were given his unilateral commitment to move forward, and all those recommendations would be implemented. I don't think there's anyone in this House who would say that you could have come forward with any more of a ringing endorsement than what the Premier gave to the O'Connor report, or Walkerton two, as it's known in the Legislature.

We must ensure that Ontario's water supply and water services are safe and sustainable for the future. Here may be the wrinkle, and I understand there could be a bit of a wrinkle with respect to services safe and sustainable. I know that there are going to be members across the floor who want to talk about watershed protection and that there's a lot of concern that possibly, in Bill 175 and potentially when the Safe Drinking Water Act comes in, we aren't dealing with the watershed protection portion of that.

I can only say to the members opposite that watershed protection is going to take a little bit more time, I think, than Bill 175 or the Safe Drinking Water Act. First and foremost, you have to basically study and determine exactly what the watershed protection is, what the tributaries are, what the water flow is in Ontario, and determine how best to go about protecting that. It isn't simply done by passing a piece of legislation. There's a lot of groundwater, a lot of groundwork, no pun intended, that needs to be implemented to ensure you can do proper watershed protection, can introduce a bill into the Legislature that can in fact do what you want it to do.

Rather than operate willy-nilly on that front, we thought as an administration that it would be better to move forward on the Safe Drinking Water Act component of it, and on Bill 175, with the third component being the watershed protection. We put out \$21 million to the conservation authorities around the province to help assist us in developing this plan for Ontario. I think I can safely say that I don't think there's anyone on the opposition benches who would oppose that: having the conservation authorities, funded by us by \$21 million, assist us in having a comprehensive review of the watershed in Ontario. That's where we're at, at that point.

We would be pleased to take part in debate, and I'm very pleased to take part, on the Sustainable Water and Sewage Systems Act, which is before us today.



Now to the legislation itself. This legislation continues the decisive action we have taken since the summer of 2000 to ensure clean, safe drinking water. We believe in Commissioner O'Connor's report of the Walkerton Inquiry and, because of that, have committed to implementing all of the 121 recommendations he made. We agree with him that sustainable municipal water and sewer financing is essential. I think we're all going to have to deal with this in a very pragmatic, systematic way.

We know we need sustainable municipal sewers in Ontario. The question then becomes the financing portion of this process. There is no magic number. There is no magic person in this Legislature who is going to snap their hands and figure out a financing program for this particular act. The devil is in the details, they often say, and yes, that is the part of the details that the devil is in fact in: the cost component. There are wide variations of how much it will cost to make it a sustainable, state-of-the-art system for the entire province. Some of those numbers have operated up in the billions of dollars. But before we can move forward to make those kinds of decisions, we have to pass the act that will allow us to implement them. That would be Bill 175.

I'm hoping that both the NDP and the Liberal Party will support this bill. I think it's a good bill. I think it's a bill that's down the right road, and I'm not really sure if there is anything in the context of this bill that they would oppose. Possibly there are things, as I said earlier, that may not be in the bill and that they wanted to see in the bill, but if they just wait, the time will come with the water protection that will be in the following bill. So I'd be surprised if there is anything in this bill that you would oppose, because fundamentally it's looking for safe drinking water.

Sustainable financing makes for good planning. It promotes water conservation and will help provide clean, safe water. There has been an argument over the years about what is clean, safe water and how you make it sustainable, and the cost recovery component. There's an argument made, and I'm not so sure I disagree with it, that as long as you subsidize water and it doesn't have a full cost recovery component, people will use it differently than if it had a full cost recovery component. If they knew what it cost to turn on the tap, they might have a better conservation idea about how they should be using water appropriately. If it's subsidized to any great degree and they turn on the tap and don't have an appreciation of the cost of turning on that tap, they may in fact use it differently.

**Mr Gilles Bisson (Timmins-James Bay):** How about oxygen? You could do the same thing.

**Hon Mr Stockwell:** I say to the member for Timmins-James Bay, this is something that your party has often campaigned on, and I'm not so sure you're all wrong on that one. In a non-partisan way, I think when all is said and done, if you have the total cost of water, people will have a better understanding of what it costs to produce clean water and they may conserve it to a greater degree

than if you subsidize it at a great level. I've heard your party argue that point of view, and I'm not so sure you're all wrong.

I know the member for St Catharines has said that as well, and I think it's important that we determine exactly what it costs to provide water to people's homes and let them know that's the cost. They will have a better chance of conserving it, in my opinion, if the cost does go up. Obviously, in providing water and these kinds of capital improvements, the cost of water is probably going to have to go up. Sustainable financing makes for good planning. It promotes, as I said, water conservation.

I'd now like to turn to the details of the proposed bill. If passed, the Sustainable Water and Sewage Systems Act would require all owners of these systems to undertake a full-cost accounting of their water and sewer systems. Now, I'll tell you something. It probably happens in jurisdictions around Toronto. I'm not so sure about St Catharines. I think St Catharines probably has full cost recovery. I look to the member opposite from Don Mills. I know the member for—I don't know your riding today, but it used to be Riverdale.

**Ms Marilyn Churley (Toronto-Danforth):** Toronto-Danforth.

**Hon Mr Stockwell:** I know our water is pretty much cost recovery, because we have set aside accounts where we charge people who drink the water, and that is put into a special account that is spent specifically on water.

In a lot of jurisdictions around the province, it isn't like that. The question then becomes, how much is water subsidized, and how do you afford to make the capital improvements for clean and sustainable water if you're in a small town of 600 or 700 people and your cost of water improvement under capital programs could total in the neighbourhood of \$200,000, \$300,000 or \$400,000? That's the question we need to ask. But if we're all committed to providing clean water, I'm sure we can find our way clear to figuring out a capital program that will help pay for it.

The systems are to undertake a full cost accounting of their water and sewer systems. Detailed analysis would include all operating and capital costs, all sources of revenue, and the investment required to maintain and expand their systems. A lot of the small communities out there don't have the capacity to expand their systems as their cities grow. We know that first-hand. I know areas surrounding Windsor and surrounding St Catharines have small communities that don't have the capacity to pay for the water and the capital improvement costs they need to have clean water.

*Interjections.*

**Hon Mr Stockwell:** I heard the comment that we should charge the developers a lot more.

**Mrs Sandra Pupatello (Windsor West):** No, I said that's why they charge developers.

**Hon Mr Stockwell:** You're right. It's true. In larger urban centres, they can get the money from developers. But in these small, rural settings, there isn't development, so when they need clean water and capital improvements, there's no developer to charge.

**Mr James J. Bradley (St Catharines):** So they have to go to you.

**Hon Mr Stockwell:** So they have to come to the provincial government. You're absolutely right. The member for St Catharines is once again bang-on in answering that. He must have been a great student. I would have loved to be his teacher. He has all the answers, eh, Bob?

**Mr Bob Wood (London West):** He used to be a teacher.

**Hon Mr Stockwell:** That's right.

If passed, Bill 175 would also require system owners to develop comprehensive asset management reports and then provide a plan for implementing full cost recovery. That's the private systems as well. We got them into the situation where the public system and the private system are providing the same clean water. I live in Toronto, and the people in Toronto have clean water. It's fully cost-recoverable. But when they travel in this great province to outlying posts, to their cottage and so on, they want to be equally certain that the water they are drinking there—

*Interjection.*

**Hon Mr Stockwell:** —or Ottawa—is just as clean as the water they are drinking in Toronto. I think we as a government have a fiduciary obligation to ensure just that.

If passed, we would implement this bill in two stages. Count on it. The first step is aimed at assessing the full cost of water and sewage services in each municipality—that's the first stage. Obviously we've got to figure out much it costs.

The second stage would involve bringing full cost recovery forward in a way that makes sense for municipalities. It harkens back to the argument I made about smaller rural settings that don't have the capacity to tax to put those capital improvements in place to provide that kind of water.

1530

I want to be very clear about the apolitical nature of this debate. You can go on and on and on about that, and you can demand and demand and demand. But the reality is, if certain communities have 60 or 70 homes and their water capital improvement cost is going to be \$1.2 million, the simple fact is that they can't afford it. So in the second stage we're going to have to figure out how we finance this over a long period of time, if we're dealing in billions of dollars. I think everyone agrees that if we're going to do that, we'd better put a financial plan in place.

Justice O'Connor said, "In my opinion, if passed into law"—and he was speaking about this act—

*Interjection.*

**Hon Mr Stockwell:** Well, it's basically the same act.

*Interjection.*

**Hon Mr Stockwell:** That's a good question. I'll you why. What happened was, when the shuffle came and Mr Bradley got his way and energy and environment were separated, Mr Baird was put into energy and I stayed as Minister of the Environment. All water-related legislation or activity was put on to the Ministry of the Environment.

Bill 155 was at municipal affairs. They moved that over to the Ministry of the Environment. The reason I had to reintroduce it was because it was under municipal affairs. I reintroduced the exact same bill, only under the Minister of the Environment, to be in order in this august chamber, rather than under the Minister of Municipal Affairs.

*Interjection.*

**Hon Mr Stockwell:** It's a matter of splitting hairs, I suppose, but it's exactly the same bill; they just changed the front cover.

So Justice O'Connor said, "In my opinion, if passed into law, the act will address many of the important issues concerning the financing of water systems." You've got to admit it's a ringing endorsement from a learned man like Justice O'Connor when he says, "If passed into law, the act will address many of the important issues concerning the financing of water systems." I would ask you in opposition to think about that when you're thinking about voting against this, because when you vote against this bill you're not just voting against the government, you're not voting against Chris Stockwell, you're not voting against Bob Wood, you're voting against Justice O'Connor, and I don't anybody would want to do that.

**Mr Bradley:** Nonsense.

**Hon Mr Stockwell:** Oh, no, he said that.

**Mr Wood:** You have a moral duty here.

**Hon Mr Stockwell:** You have a moral obligation on this one. I'll read again what Justice O'Connor said: "In my opinion, if passed into law, the act will address many of the important issues concerning the financing of water systems.... The requirements for full cost report and cost recovery plan, as generally expressed in the proposed act, are in my view appropriate." Now, that's not a ringing endorsement for me. That is from Justice O'Connor, the learned justice who produced the two Walkerton reports that you embraced. I'd hate to think you would disagree with Mr O'Connor, that you'd go back on what he wanted us to do. I know you won't. I have such great faith in the opposition parties; I know you won't challenge Justice O'Connor's thinking.

**Mr Bradley:** That's histrionics.

**Hon Mr Stockwell:** Histrionics? I know the good members opposite will not challenge Justice O'Connor's thinking.

He also strongly supported the implementation of asset management and full cost recovery plans in relation to drinking water treatment and distribution systems.

**Mr Marcel Beaubien (Lambton-Kent-Middlesex):** That's going to be tough.

**Hon Mr Stockwell:** Again, that's what he said, and here it is in this bill. I know there may be a bit of give and take in the House at times and a sense of political gamesmanship, but I know the honourable members opposite to be good people and I know they will not vote against recommendations that were in the O'Connor report. I know that.



I know this bill is not new to the members of this Legislature; it was first introduced in 2001 by the Minister of Municipal Affairs and Housing. So with great respect, you've had a long time to digest the bill, you've had great opportunity to review it and I think you're fairly well read on this issue.

**Mr Bradley:** Why didn't you proceed with it in the fall?

**Hon Mr Stockwell:** That's the same question your friend Mr Caplan just asked. When you got your way and they separated environment and energy, and energy went to Baird, water was put into environment. Look, the Premier listened very carefully to you and said, "OK, Bradley has a good point." So we separated them and I got all the water management asset decisions. So I'm looking to you knowing that you won't want to disagree with your decision to separate the ministries and you don't want to argue with Justice O'Connor. It's a fait accompli. I'm not even worried. You'll vote in favour. Even if your own caucus is opposed, I know you're in favour.

The Ministry of Environment is now bringing the bill forward, in keeping with the Premier's announcement in August that I would have responsibility for leading Ontario's comprehensive water strategy, which Mr Bradley was calling for for a number of months.

There is good reason for tabling this act at this time as well. In the months since the previous bill was tabled, the Walkerton inquiry concluded, Commissioner O'Connor made far-reaching recommendations, as members of this House know. We're implementing all of them. I say to the member for Toronto-Danforth: that's something, isn't it? Have you ever seen a government take a recommendation such as the Walkerton report and say categorically, "We are implementing every single recommendation in that report"?

*Interjection.*

**Hon Mr Stockwell:** There you are. You're late. Do you have a late slip?

Commissioner O'Connor made far-reaching recommendations and, as members of this House know, we're implementing all of them.

Consultation is essential. I believe in consultation. I consult as often and in as wide and varied a way as possible. I consult with members opposite; I consult with their constituents. As we have done with the proposed Safe Drinking Water Act and are currently doing with regulations for nutrient management—two other wonderful acts, I might add, that I'd be very, very surprised if the opposition opposed. Frankly, it would be unusual to see them oppose those two bills, which work toward the same goal. Again, Justice O'Connor said we should be doing those two things. I don't even expect a lot of debate on this. Justice O'Connor said, "Let's do this," and we're bringing a bill forward. They've all said they agree with Walkerton. I don't expect a lot of debate. They're probably going to whistle this through.

We encourage public and stakeholder involvement. We will hold extensive meetings with our municipal

partners and others to ensure that decisions made on this bill make sense. I am telling you that I'm prepared to listen. I want to go to committee, and I want to hear the amendments the opposition brings forward. This is a non-partisan approach, and I think it's good if you have good amendments that live up to the spirit and design of the Justice O'Connor Walkerton report—and I think we should bear in mind the spirit and design of Justice O'Connor's report. Those are the kinds of amendments that can make this bill stronger, and we will embrace them.

*Interjection.*

**Hon Mr Stockwell:** I would hate to see that we'd ever get to time allocation on a Justice O'Connor bill. It would be a frightful day for the opposition to stand up in this place and suggest they actually expect time allocation on the Justice O'Connor Walkerton report bill. We're hearing potential time allocation? Oh my goodness.

**Interjection:** It's practically obstruction.

**Hon Mr Stockwell:** That is obstruction, and we don't want to see that. We do not want to see that on the Walkerton report bill. That would be just unbelievable. I was fully expecting total co-operation. I thought we'd whistle this through in no time flat.

*Interjection.*

**Hon Mr Stockwell:** We will. Let's go down to committee. Let's get this out of here and on to committee and public hearings as soon as we can—bada-bing, bada-boom, as they say they say in that radio commercial. I can't believe Mr Caplan is suggesting he's going to hold this bill up. I don't want to tell the good people of Ontario that Mr Caplan is planning to hold this bill up, forcing the government into time allocation. Surely you can't be serious. Surely your conscious won't allow that; it can't possibly. I'll pretend you didn't say that.

We want to hear from people who will be most directly affected. They have the experience and expertise to come up with the needed solutions.

Dollars and cents—this is kind of cute, because the "cents" is "sense." So it's not just "cents," it's "sense." That's a little play on words.

The Ernie Eves government is investing more than half a billion dollars in the next two years on clean, safe drinking water for the people of Ontario—half a billion dollars alone in the next two years. The government will deliver on its budget commitment to establish a \$50-million clean water legacy trust and a Clean Water Centre of Excellence in Walkerton. The parliamentary assistant for the Ministry of the Environment, Bill Murdoch, the hard-working member for Grey, was in Walkerton just last week announcing to the people of Walkerton that we are moving forward on the centre of excellence. I must tell you how warmly he was received there and how excited they are about the centre of excellence in Walkerton.

*Interjection.*

**Hon Mr Stockwell:** There's a heckle. I'm not quite certain what it means, but we can chit-chat after.

I want to tell you how well received he was and well received was this idea of the report. I've met with the people of Walkerton, the committee in Walkerton who want to talk about the centre of excellence. Their concept for the centre of excellence in Walkerton dovetails nicely with what the Conservative government believes the centre should be as well. So there's going to be \$50 million set aside—it has been set aside. We're starting to march down that path to get the centre of excellence up and running with the full support of the people of Walkerton, the full support of the parliamentary assistant member from Grey—Walkerton is in his riding—full support from the Premier's office and, no doubt, and I may be speaking out of turn here, with full support from my good friends the honourable members across the floor. I know the member for Toronto-Danforth would not oppose and will not hold up the centre of excellence in Walkerton. I know she won't. I know it. She is an honourable member.

1540

It will provide access to the best scientific knowledge, research and technology and training in the management and monitoring of our safe drinking water. It will be a centre of excellence. It's where people will come from around the world to learn the up-to-date technologies of how to assess drinking water and assure you of safe drinking water.

I look forward to seeing this come about. I look forward to stopping spitting on Bob Wood.

**Mr Wood:** It's happened before. Don't worry about it.

**Hon Mr Stockwell:** I look forward to seeing this centre of excellence open and I'm excited about it. I'm excited for the people of Walkerton, I'm excited for the people of Ontario and I'm equally excited for the opposition members, because now I know they will have an opportunity to come together and vote as one for the good people of Walkerton and the province of Ontario.

To date, our government has provided municipalities and conservation authorities with over \$14 million to conduct groundwater studies. I think that's \$21 million now, actually. I say to the member for Toronto-Danforth, she brought source protection to my attention, and we've acted quickly on that with these studies requested from the conservation authorities. We've spent the money. We're doing our own. But, again, I can't bring the bill forward until those studies are completed. They tell me they will be completed within the next six months.

I am looking forward to working together with the two environment critics—

**Mr Bradley:** What was that?

**Hon Mr Stockwell:** The source water protection. I'm looking forward to working together with my two environment critics, Mr Bradley and Ms Churley, who I know would support any legislation that protects the groundwater, the source, to ensure that this bill will get quick passage through this House so we can get that source protection act put into place, as well as Bill 175 and nutrient management and the safe water act. I know we're all on the same page.

I don't think it's a question of taking credit any more. I know there have been some on the other side who are quick to take credit for things that maybe they had nothing to do with, but I know on these bills it's not going to be a question of falling all over each other to take the credit when these bills pass. They will all agree that it was the government and the environment minister who thought this up and brought this forward and they will give us all the credit in the world.

This is the largest investment in groundwater source protection in the province's history. A further \$5 million will be provided this year to municipal stakeholders to undertake further work on source protection. I think that's part of the \$21 million. In addition, the government launched the \$6-million provincial groundwater monitoring network in co-operation with Conservation Ontario, its member authorities and municipalities across the province.

I know there was some talk in the Environmental Commissioner's report about groundwater monitoring. We embraced the Walkerton report. We embraced Justice O'Connor's report. He has talked about more groundwater and safe water stations being needed. I agree. We will provide those, and we're doing a \$6-million study to determine exactly where and how those would best fit in.

It's time that all of us start considering the true cost of water and sewage services we take for granted. I don't want to put too fine a point on that, but I just want to come back to it very quickly. That's a good way of summing it up and I applaud those folks in my office who came up with that line because it's probably an exceptionally intelligent way of putting it: "It's time that all of us start considering the true cost of water and sewage services we take for granted."

You go to your tap, you turn it on and you just think that water is coming out and you expect it to be clean. We've got to provide that clean water, but to provide that clean water and sewage treatment and those things we do costs money—huge infrastructure capital costs. It's time that we figured out what those costs are so that every Ontarian has the same level of expectation when they turn on the tap that their water is safe, clean and acceptable to drink.

It's the only way we can ensure that these services will be there to support the health and prosperity of future generations.

I encourage all members of this Legislature—I know there are only four across the floor on the opposition benches and I know they are paying attention intensively, all four of them, really hanging on each word—to support the Sustainable Water and Sewage Systems Act, as well as any amendments that come forward during the consultations. I want to say once again, I mean that. I will very seriously consider any of the amendments that come forward during committee. If we can't accept them, I'll explain why we can't. But they should—and I want to let you use this as a template—live within the spirit and the guidelines of Justice O'Connor's report and the Walkerton report.



I thank the members for listening attentively. I thank the members of my own caucus who have supported me on this on a number of occasions, who have talked about it with me, explained the pitfalls in this and what we need to do about capital infrastructure. But most importantly, I must offer one special level of thank-yous to my hard-working parliamentary assistant, Bill Murdoch, who is an endless and tireless worker when it comes to water protection, who stands in for me on a number of occasions and takes a lot of good information. He's not here right now, but I know he's heading on his way back. He's got a special meeting tonight in his riding and he told me he couldn't be here for the speech. I just wanted to let you know that Bill has done yeoman service in this field.

You know what? He's brought a perspective—I want to make this clear to a lot of the members in this House, because a lot of us come from larger urban centres. I look across the floor at the four members here and you all come from large urban centres. St Catharines will be the smallest, but it would still be considered a mid-sized to large urban centre.

What he has brought to the table is the rural point of view, the cost of full cost recovery for water and sewage in small-town Ontario. It's a very expensive and difficult program, a very expensive and difficult project. I must say categorically that with him bringing him forward their views on this bill, I think we'll have an act that not only my good friends on this side of the House will support, but I fully expect, once read, understood and debated, the honourable members on the opposite side of this House will have no choice but to do the unthinkable and support the good works of this government when it comes to clean water in Ontario.

**Mr Gerry Martiniuk (Cambridge):** I'm delighted to have this opportunity today to discuss this strong piece of legislation that was introduced on September 23 by the Honourable Chris Stockwell, Ontario's Minister of the Environment.

As Minister Stockwell said, we are sparing no effort to protect public health and the environment in this province. We are making sure that we can afford to pay for water and sewage services, to provide this protection. Its importance is self-evident. The Sustainable Water and Sewage Systems Act will be an important foundation for keeping our communities prosperous and healthy.

A key component of the proposed act revolves around the need for water and sewage systems to be sustainable. Full cost recovery is an integral part of Operation Clean Water. In fact, as my colleagues will recall, this bill received first reading in December 2001. We elected to reintroduce this bill to bring our work in line with the O'Connor recommendations.

In keeping with the Premier's announcement in August that the Minister of the Environment will have responsibility for leading Ontario's comprehensive water strategy, the Honourable Chris Stockwell has brought forward this new bill for debate in the House and for consultation with municipal and other stakeholders.

Members of this House will know that Commissioner O'Connor's report stated that the Sustainable Water and

Sewage Systems Act addressed many key financing concerns. In the report he said, "In any opinion, if passed into law, the act will address many of the important issues concerning the financing of water systems.... The requirements for a full cost report and cost recovery plan, as generally expressed in the proposed act, are in my view appropriate."

Simply put, Commissioner O'Connor has indicated that sustainable municipal water and sewer financing is essential. This government agrees with him. It makes for good planning, it promotes water conservation and it is part of this government's commitment to providing clean, safe water for everyone in Ontario. It's a commitment backed by a solid record of action and honoured promises.

This government pledged to implement all of Commissioner O'Connor's 121 recommendations from the Walkerton inquiry. This bill will further illustrate our commitment to that goal.

I'd like to take a look at this record to give context to the Sustainable Water and Sewage Systems Act.

On August 8, 2000, we launched Operation Clean Water, an ambitious action plan aimed at placing Ontario at the forefront of drinking water protection. Our swift action was a signal to the people of Ontario that we will do everything in our power to protect their drinking water. We are making good on our promises. Since Operation Clean Water was announced, we have significantly strengthened the safeguards for Ontario's drinking water.

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The members of this Legislature will recall that in August 2000 we put in place the drinking water protection regulation. This regulation was a milestone because it gave Ontario its first ever legally enforceable standards for drinking water quality, as well as strict requirements for testing, treatment and reporting. We continue to hold these standards in the highest regard as something we should all be proud of.

To ensure compliance with the regulation, we have increased both the number of inspectors and inspections. The Ministry of the Environment now annually inspects all municipal water systems, and it orders corrective action whenever a problem that may lead to adverse health effects is found.

We also put in place the new drinking water protection regulation for smaller waterworks serving designated facilities. This regulation applies to waterworks in schools, day nurseries, nursing and retirement homes, and social and health facilities in the broader public and private sectors that do not fall under the existing drinking water protection regulation.

The smaller facilities regulation is particularly important, because it protects the most sensitive people in our society, including infants, children, the elderly, and those with compromised immune systems.

Now, our clean water strategy builds on significant actions undertaken through Operation Clean Water. For example, this past June we put in place the Nutrient

Management Act, 2002. The act is aimed at providing the best possible protection for the environment while ensuring the continued viability of farming in Ontario. It is in keeping with Commissioner O'Connor's recommendations and will help manage the use of all the different types of nutrients, including livestock manure, pulp and paper sludge and municipal biosolids to prevent environmental and health impacts.

The land application of materials containing nutrients is governed by an array of legislative and regulatory provisions: some are guidelines, others are voluntary best management practices, and there is a patchwork of municipal bylaws. Regulations developed and implemented under the Nutrient Management Act, 2002, will address this.

Our commitment to address this situation was made clear in the May 2002 throne speech. In that speech it was stated, "Like Ontario's farmers, your government understands that protecting the environment is vital to the future of the family farm. It remains committed to the nutrient management bill, which would protect the environment by setting and enforcing clear, consistent standards for nutrient management on farms."

We put in place the Nutrient Management Act because the time has come for clear, consistent standards that apply province-wide: standards that will relieve the current burden upon municipalities to enter areas where they often lack the property expertise; standards that will protect the environment and be of benefit to all of us in this province.

The Nutrient Management Act responds to the needs that were identified by farmers, municipalities, environmental groups and others during the many consultations over the past two years.

The act also addresses the issues and risks identified by the Environmental Commissioner's special report of July 2000. The report, called *The Protection of Ontario's Groundwater and Intensive Farming*, aligns with the O'Connor report and builds on the government's Smart Growth strategy. Smart Growth, of course, means well planned and environmentally sensitive development.

The Nutrient Management Act sets out the framework for setting regulations that are specific to different types of nutrients. We continue to consult with all stakeholders to develop clear, consistent and stringent standards. These standards will enhance protection of the natural environment while providing a sustainable future for agricultural operations and rural development.

The standards being developed under the act will be consistent with Commissioner O'Connor's recommendations. The government's nutrient management strategy will form a significant part of the water protection system envisioned by Commissioner O'Connor.

The Ministry of the Environment will enforce all new standards developed under the act. Dedicated provincial officers will be specially trained in both environmental and agricultural compliance issues.

Most farmers are already good stewards and neighbours. The Nutrient Management Act provides the frame-

work for making their best practices mandatory and enforceable across Ontario. Nutrient management is an important part of our comprehensive strategy to protect groundwater resources. This strategy also includes investments to ensure that municipalities have the information they need to make sound decisions regarding the protection of their groundwater resources.

The government introduced the first conservation-based water-taking regulation in the country on April 30, 1999. This prevents transfer of water from Ontario's major water basins and ensures conservation issues are thoroughly addressed when reviewing applications for water taking.

These actions are an indication of our determination to protect drinking water in Ontario. As members of this Legislature are aware, we are also determined to meet each and every one of the 121 recommendations put forward by Commissioner O'Connor in his reports.

I'd now like to turn to the details of the new bill. If passed, the Sustainable Water and Sewage Systems Act would require all owners of water and sewer systems to undertake a full cost accounting of their water and sewer systems. As the minister said, detailed analyses would include all operating and capital costs, all sources of revenue and the investment required to maintain and expand their systems.

This bill would also require system owners to develop comprehensive asset management reports and then provide a plan for implementing full cost recovery.

If passed, the government's approach to implementing this bill would consist of two stages. The first would be aimed at assessing the full cost of water and sewage services in each municipality in Ontario. The second would involve bringing full cost recovery forward in a way that makes sense for municipalities.

I am proud to join Minister Stockwell in encouraging the members of this Legislature to support the Sustainable Water and Sewage Systems Act, as well as any amendments that come forward during consultations. By supporting this act, you are helping to ensure that a well-protected environment is our legacy to future generations.

**Mr Ernie Hardeman (Oxford):** I'm pleased to rise today to speak to Bill 175, An Act respecting the cost of water and waste water services. Safe drinking water is non-negotiable for this government. It's also something the people of Ontario expect will not be compromised. If passed into law, the Sustainable Water and Sewage Systems Act will set yet another benchmark and provide an even stronger foundation for safe drinking water. It makes for good planning, promotes water conservation and is an integral part of this government's clean water strategy.

This government is committed to implementing all 121 recommendations from Commissioner O'Connor's report of the Walkerton inquiry. Our clean water strategy will help us meet this commitment. As a government, we believe that one of the critical steps toward implementing the recommendation is the government's proposed



Sustainable Water and Sewage Systems Act. The driving force behind this proposed act is the concept of full cost accounting and recovery. Our government believes that legislating full cost accounting and recovery for a municipal water and sewage service is one of the best ways to protect health and our environment.

The principles of full cost accounting and recovery are fundamental to sustainability and are a key aspect of Commissioner O'Connor's recommendations and report of the Walkerton inquiry, part two. Incidentally, I want to point out that I did personally read both part one and part two of the report so, when asked, I would be able to say, "Yes, I did read it." Full cost recovery accounting reports will provide us with an accurate picture and transparent method of identifying all the costs, both operational and capital, to ensure human health is protected when it comes to delivering water and sewage services.

The full cost recovery plans will provide a guide to ensure sustainable systems are developed and supported.

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In his report, Commissioner O'Connor made several references to the need for municipalities to ensure their water systems were adequately financed. To quote Commissioner O'Connor, "Over the long term, safety depends on stable and adequate financing to maintain the water system's infrastructure and its operational capacity to supply high-quality water consistently."

Commissioner O'Connor also stated support for the proposed act after it was first introduced in the Legislature as Bill 155. He said, "In my opinion, if passed into law, the act will address many of the important issues concerning the financing of water systems.... The requirements for a full cost report and cost recovery plan, as generally expressed in the proposed act, are in my view appropriate."

Through our clean water strategy, of which the Sustainable Water and Sewage Systems Act is a significant part, the Ernie Eves government has pledged to invest more than half a billion dollars over the next two years on clean, safe drinking water for the people of Ontario. This year alone, the government will provide \$245 million, including investments to help municipalities upgrade their water system to meet our tough new standards. While there is still work to be done, this government continues to make significant progress on several other components of the clean water strategy.

We will deliver on our budget commitments to establish the \$50-million clean water legacy trust and the Clean Water Centre of Excellence in Walkerton. The centre of excellence will provide access to the best scientific knowledge, research and technology, and training in the management and monitoring of our water systems. I think it's important to note that the training requirements came out very loud and clear in the Walkerton report, that there was more of that needed.

In addition, the government plans to consult with key stakeholders on watershed-based source protection planning issues this fall. Again, when we did the consultation on the Nutrient Management Act, watershed protection

and wellhead protection were two of the most important items that came forward as the people made their presentations. Several groundwater studies are already underway to support this planning. I'm happy to say that one of those not only is in progress, but has been completed in the county of Oxford.

So far, action has been taken on many fronts to help ensure clean, safe drinking water is delivered to all the people of Ontario. Our accomplishments include drinking water protection regulations, the drinking water protection regulations for smaller waterworks serving designated facilities, and, as I mentioned, the Nutrient Management Act, 2002, and work toward the Safe Drinking Water Act. These examples demonstrate that our commitment is unwavering to the momentum, and the momentum is strong. We fully support Commissioner O'Connor's recommendations and are moving forward to complete their full implementation.

I'd now like to highlight some of the details of the proposed bill.

If passed into law, the new Sustainable Water and Sewage Systems Act will make it mandatory for all municipalities to assess and cost recover the full amount of water and sewer services. The proposed act will ensure that water and sewer systems generate sufficient revenue to fully recover all their long-term operating and capital costs.

As members are aware, the Minister of Municipal Affairs and Housing first introduced this legislation as Bill 155 in December 2001. In his report, Commissioner O'Connor has stated that the previous bill addressed a number of major financing concerns. The act has been reintroduced to give legal authority to the Ministry of the Environment, as announced by the Premier in August 2002. It's also the government's next step in fulfilling Commissioner O'Connor's recommendations.

The proposed act would be implemented in two stages. The first would be aimed at assessing the full cost of water and sewage services in each and every municipality. The second would involve bringing full cost accounting forward in a way that makes sense to municipalities.

The concept of full cost recovery is not new. Municipalities are already able to apply full cost recovery if they wish. In fact, some municipalities have implemented this to varying degrees. But as the saying goes, the devil is in the details. Although some municipalities claim they have reached full cost recovery, the province doesn't know the extent to which they are recovering all their long-term investment needs.

The proposed act will give us the full picture of what it costs municipalities to provide water and waste water services and will require the municipalities to do cost accounting according to regulated standards. Specific reporting requirements and detailed analysis would include all operating and capital costs; financing costs; renewal, replacement and improvement costs; infrastructure and investments required to maintain and expand the systems; and all sources of revenue to cover those costs.

The proposed act will also require system owners to develop comprehensive asset management reports. In order for the proposed Sustainable Water and Sewage Systems Act to be effective, it is critical that the government understand and appreciate the direction and specific activities municipalities are undertaking.

The act therefore proposes that municipalities be required to provide an implementation schedule outlining their project plan for full cost recovery.

At present municipalities use different methods of determining water rates. In general, few of these methods include investment needs or what will be needed for repair, rehabilitation and expansion of related infrastructure. As a result, it is difficult to get an accurate estimate of the shortfall.

The reality is that most municipalities do not have a handle on the long-term cost of maintaining their water and sewer systems. This leads to underinvestment in water systems, because much of the infrastructure is buried, literally. The old adage "Out of sight, out of mind" is an unfortunate fact in many cases.

Underpricing of water can lead to deferred maintenance and overconsumption by water users. Deferred maintenance ultimately leads to deteriorating infrastructure and potential risks to public health. The bill includes provisions to ease the transition to full cost recovery. Through section 10(5) the government can set limits ensuring cost recovery rates.

Legislating full cost accounting and recovery ensures that safe drinking water is a priority municipal service that cannot be traded off for other services. The standard of service is mandatory.

Make no mistake. This is an environmental and public health issue. But while the proposed Sustainable Water and Sewage Systems Act addresses the issue of infrastructure financing and cost recovery, it also covers another major issue of municipal accountability. That issue relates to the overriding principle of accountability. In the new Municipal Act, which was passed by this Legislature one year ago, municipalities were given increased flexibility. A strong accountability framework, however, has also been put into place to balance that increased flexibility.

Our goal, on behalf of the taxpayers, should always be the best service and clear accountability. One way to help ensure this is through the use of performance measures.

One of the primary areas in which municipalities are being measured and made accountable is the way they deliver services, including such fundamental services as water and sewage systems.

The municipal performance measurement program requires all municipalities to collect data and ensure their performance of 35 specific measures that fall within nine core municipal service areas. The data is then included in the municipality's financial information return. As of September 2001, they have been required to report to the public on 16 of those measurements.

The Municipal Act requires the municipality to provide the Minister of Municipal Affairs and Housing with

designated information related to the efficiency and effectiveness of the municipality's operations. The minister can require municipalities to report these results to the taxpayers.

A new provision in the proposed Sustainable Water and Sewage Systems Act would require municipalities to report to taxpayers annually on any service delivery improvements and on any identifiable barriers to improving service delivery. The concept of full cost accounting and recovery as put forward in the proposed Sustainable Water and Sewage Systems Act is also consistent with municipal accountability for budget processes.

Specifically: municipalities are required to prepare a balanced budget each year and to provide for any surplus or deficit of the previous year; municipal budgets set out major activities, service levels, related costs and how best to deliver those services; municipalities are required to discuss and approve their annual budgets in public meetings—budget documents and staff reports are routinely made public before the political decision-making process begins; municipalities are required to submit an annual financial information return to the Ministry of Municipal Affairs and Housing, and the return also includes all local boards within the municipality's jurisdiction.

The new Municipal Act also requires municipalities to publish their annual audited financial statement 90 days after the audit is completed.

Through better communications, increased knowledge and a more consistent financial and full cost accounting processes, municipalities will be in a stronger position to know exactly where things stand and the true cost of their water and sewer services. This will enable them to take a more proactive view and adopt a more integrated and holistic approach to environmental protection. Environmental improvement is a continuous journey, and it is a journey that we must travel together.

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The answers to our environmental challenges cannot come from any one source. Our government recognizes that it must involve consultations and partnerships with municipalities, industries, community organizations and individual Ontarians. As a government, we have a responsibility to examine all points of view. As we continue the debate on the proposed Sustainable Water and Sewage Systems Act, we will seek input beyond this Legislature. We will seek the views of our municipal partners and other stakeholders. We value their expertise and input, and our ability to work together.

We are open to hearing amendments that make sustainable water and sewer financing work for our partners. But as I said in my opening remarks, our government's commitment to safe drinking water is a non-negotiable priority. We all need to know the true cost of the water and sewer services we take so much for granted. It is the only way we can ensure that these services will be there to support the health and prosperity of future generations. By working toward common environmental goals, we are able to look, explore opportunities, take appropriate action and, together, be at the environmental forefront as we solve our environmental challenges.



I believe that, if passed, this bill will become an important legacy of our government. I encourage members of this Legislature to support the Sustainable Water and Sewage Systems Act.

I thank you, Madam Speaker, for providing me this opportunity to speak to this act. Again, I encourage all members in the Legislature to support it for speedy passage.

**The Acting Speaker:** Questions and comments.

**Mr Mario Sergio (York West):** I just wanted to make a couple of comments on the bill that has been introduced by the Minister of the Environment.

I was listening very attentively to what he had to say, because this is an extremely important piece of legislation. He made a number of references with respect to the opposition, that he hopes we will support it and, "Who would not support it in the face of Justice O'Connor's report?"

Let me say to the minister and the members of the House, to the Premier himself, that indeed we are taking this legislation very seriously, especially when it comes to addressing the remarks of Justice O'Connor. Mr Minister, speaking directly to you, let me say that unless the concerns of Justice O'Connor are dealt with in this House and made part of the bill itself, unless our amendments are accepted, we will not be able to support this bill, because it does not reflect the full intent of Justice O'Connor's report.

When the minister says he expects, on behalf of the people of Ontario, our support, let me tell the minister that he must include everything in the bill in this House openly and not by regulations afterwards. We want to know who is going to pay and how. This is a concern that Justice O'Connor is expressing at page 299 and which the minister did not address in this House. I think he will find the members of this House very responsible when it comes to dealing with this important legislation.

**Mr Bisson:** I was quite interested in listening to what the minister had to say. He was saying that certainly none of us could be partisan in our comments toward this legislation because, after all, this was not a partisan issue. I just want to remind the government that it was extremely partisan in its own way in how it dealt with this issue right from the beginning. We ended up in a crisis having to do with water in this province because of the government's actions when it came to the reductions in the budget by almost 50% at the Ministry of the Environment, the privatization of the labs etc. We ended up in this mess quite frankly because this government decided to follow its ideological bent when it came to all bureaucrats are bad, regulation is bad; let's un-red-tape everything and everything will be wonderful. But it wasn't for the people of Walkerton, and I would argue it wasn't for the rest of Ontario.

Now the interesting part: this government is part of Mike Harris's government, which always prided itself in saying, "There's only one taxpayer." Well, there's only one consumer. All I know is, at the end of the day, as a consumer in Ontario, not only will I have to pay taxes, as

I always will, but I'm going to have to pay a user fee in order to open the tap to drink the water in my community or in any other community in Ontario. That means to say the net effect is we're going to be paying more.

So I say to the people of Ontario, you got that tax cut, and you did whatever you did with it. Great. But now we're paying for it. We're seeing the full effect of that tax cut over a period of years. We're paying user fees on increasingly more things, and now we're going to pay user fees when we open the tap and drink our water. So I say to this government, don't hide behind the pretence of this being conservation. This is just trying to figure out how you're going to pay for the mess you've created. Let's be clear about that.

The other point I want to make on this particular thing—and I'll get an opportunity to do that in more detail when we get into debate—is a number of issues in regard to what was contained in the report by Justice O'Connor that I feel have not been met in here. I listened intently to the debate, and I wish to work with the government to make this better legislation. But don't hide and tell me this is non-partisan.

**Mr David Caplan (Don Valley East):** It's interesting to hear the Minister of the Environment, the member from Cambridge and the member from Oxford, who spoke to the bill. All of them said the government has an unwavering commitment to providing safe, clean drinking water. I think all members share that goal, although I don't think the actions of the government demonstrate any commitment to providing safe, clean drinking water, especially in light of the recent Environmental Commissioner's report, which said we're probably worse off today than we were last year, the year before and even before that.

Words ring hollow; it's actions that speak much louder. I look forward to seeing the government clean up their act, or at least replacing the government, given the chance of an election, and having a new government with a true commitment to providing safe, clean drinking water for all the people of Ontario.

I'd like to make a couple of other comments. During this debate Justice O'Connor's report is going to be quoted many times from many different pages. They were weighty volumes. I noticed that the minister quoted a part of page 299, but he left out something as well: Justice O'Connor criticized the government for having a considerable amount of regulation in then-Bill 155. He said the regulations would be "critical," and he criticized the government for laying out regulations at a later date and not having them as part of the bill itself. In fact, Justice O'Connor had several criticisms of the government and of the bill. We will be bringing forward those criticisms in this debate.

One last comment: the minister, in a very joking, jovial fashion, talked about time allocation. I expect all members of this House will want to speak to Bill 175. It is an important bill. I hope the House leader and Minister of the Environment does not invoke closure or time allocation to shut down debate on this very important bill.

**Mr Bradley:** It's interesting, first of all, to hear the Minister of the Environment, who now has had his responsibilities separated. You witnessed as I did, Madam Chair, the fact that the Minister of the Environment had an inherent conflict of interest with the Ministry of Energy and therefore had to have this responsibility separated. He's also the House leader. He had too much on his plate and didn't have the answers at the appropriate time for members of the news media and members of the public. I implored the Premier of this province to separate the two, perhaps more because of the conflict of interest than because of the workload, because the workload was onerous as well.

The member is trying to paint a picture as though the government has, holus-bolus, taken absolutely everything Justice O'Connor has said and placed it in this bill when indeed that is not the case. He has tried to suggest, as I knew he would—we always anticipate these things; he's a clever politician. I watched him divert the attention of the public from very important issues by going after the people living on the Toronto Islands, for instance. He's good at diversionary tactics.

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What we'll want to do, and you'd want to do as an individual member, is examine each and every part of the bill and try to anticipate the regulatory framework that will go with the bill before saying it is one that is completely supportable. But I did admire his efforts to try to suggest that everybody in the House would be absolutely unanimous on every aspect of the bill. You've been here long enough and I've been here long enough to know that is seldom the case.

**The Acting Speaker:** Response from the member for Oxford.

**Mr Hardeman:** I just want to say we want to thank the members for York West, Timmins-James Bay, Don Valley East and St Catharines for their kind remarks about the bill.

I suppose we could say the member for York West has supported the bill, with some reservations as to what may come out of the debate. Obviously that's what the process in this place is supposed to generate: the debate. After the debate is when the decision should be made as to whether it is totally supportable or not. I take some exception to the comment that, when the bill is introduced, we already have the position taken that "I can support it" or "I cannot support it," when in fairness I would think maybe some have not read the whole bill yet to see whether it contains what it needs to contain.

In going to the member for St Catharines, I just want to say that it would have been, I suppose, more helpful to talk about what they liked or disliked about the bill than what they disliked about the makeup of the ministry, whether the minister had too much of a workload, not enough of a workload or whether he was spending enough time involved in this. But we do want to thank him, because it is the debate that generates the ability to bring out the best possible legislation.

Again, it was mentioned from across the way that they have amendments already prepared, I presume. I suppose

we very much appreciate that. If we had those to debate here, maybe we could debate them and tell you why I think your amendments are wrong as well as your telling me what you think is wrong with the bill. But we thank you very much for your participation and your involvement in the debate.

**The Acting Speaker:** Further debate? The member for St Catharines.

**Mr Bradley:** Thank you, Madam Chair. I want to say how nice it is to see you in the chair as one of the senior members—only in terms of your length of service, of course—in the Legislature, and looking very appropriate, I must say, in the chair. You have been an environment critic and were very assiduous in the way you carried out your responsibilities in those days. I want to compliment you for the work you did and the assistance you provided to me through your very good critique of what the government of the day was doing.

I now want to move to the legislation itself and say that many of us have wondered where this legislation has been for so long. I think the Minister of Municipal Affairs himself is wondering that, because we anticipate it as a major problem. This has been out there for a number of years, the need to find ways of financing the system of providing water and sewer services for the people of the province.

People who are cynical, and I'm not one of them, would say to me—and they have; I've tried to dismiss their cynicism—"You know, this is just an excuse for the Harris-Eves government to withdraw from any financial responsibility for waterworks in this province." I've tried to assure them that the government would be open-minded to amendments which would ensure the government would, for many years to come, continue to provide funding for water and sewer projects.

I well recall, as the Minister of the Environment, being asked by many municipalities to assist in projects which were designed to improve the environment through perhaps sewage treatment plant improvements, or perhaps the construction of a new sewage treatment plant, water treatment plant or new lines. In addition to that, there was a program I remember we initiated called LifeLines, which took a look at the older pipes that were under the ground in each one of our municipalities, and said, "There's a need for renewal at all times. They cannot last forever." So we provided funding; if my recollection is accurate, one third from the province and two thirds from the municipality. If the federal government wanted to come in, they could provide some. Or it may have been 50% from the province, I don't have the exact recollection, but it was a significant provincial role in the renewal of our water services.

I'm glad the Minister of Health is with us today because later on in my speech—not in this particular speech—I'll be talking about the ambulance dispatch service that is in critical condition in Niagara. I'll save that for yet another day, though I want to mention that to him at this time.

What I want to mention to him is the critical situation in areas that do not have a full-time medical officer of



health. Certainly that recommendation was made. To my knowledge—and he will correct me later if he has an opportunity—that obligation has not been fulfilled to this point in time. I will support him in his efforts to secure the funding and clout necessary to get from his colleagues in the cabinet the permission to proceed with the appointment of those medical officers of health, because that was a very important issue that arose out of that situation.

Let's go to the beginning of this. I'll ask the member for Toronto-Danforth, because she is in the House and I think I'll get the answer I want to hear as well: does anyone in Ontario, outside of the people sitting in those benches perhaps, believe for one moment that this government ever had any intention of bringing this bill forward?

**Ms Churley:** No.

**Mr Bradley:** Absolutely not. I would agree with her.

So many of the measures the government is taking now—and you take them where you can get them; I admit that—that are in the general purview of the environment in their wildest dreams they had no intention of taking and to this very day don't want to undertake.

In fact, the government members were going around to those who dislike the Ministry of the Environment, saying to them, "We'll get the Ministry of the Environment out of your face; don't worry." There were many people who had complaints. The Ministry of the Environment was working very hard to carry out its responsibilities. Certainly its obligations on industry, on some municipalities and on those who had the opportunity, should they choose to do so, to follow the air, the water or the soil—they were very tough on them and there was annoyance with the Ministry of the Environment. So there were a number of Conservative candidates out there who were saying, "We will look after you. We'll get the Ministry of the Environment out of your face." Well, promise made, promise kept, and one of the results was the unfortunate circumstance, the tragedy of Walkerton.

Members of this House will remember that this government cut one third of the staff and about 50% of the operating budget of the Ministry of the Environment and announced it was withdrawing from the area of providing funding for water and sewers. They were going to download that to the municipalities and leave them on their own.

They closed the regional laboratories of the Ministry of the Environment that used to do much of the testing of water for municipalities and other entities in this province—a very unwise move, but particularly unwise when they did not put into place the protocol for reporting. In other words, in about a six-week period of time they closed down these laboratories. The purpose of this was so they could give a tax cut to the richest people in the province and make them happy, and indeed they may have made some of them happy with that tax cut, but that's why the cuts were so deep.

The government and my friend the Minister of Municipal Affairs, who is a fair-minded person from time

to time, would say to me, "We had to deal with the deficit," and indeed that was the case. But the depth of the cuts and the extent of the cuts that took place were because this government was obsessed with what it felt was its need to cut taxes before it had balanced the budget.

I remember four key members of the opposition then: the Speaker of the day, not the one in the chair this afternoon but the member for Oakville, Mr Gary Carr; the Honourable Chris Stockwell, the Minister of the Environment today; and a third person was my friend Ted Arnott from Wellington county. Waterloo-Wellington, I believe, is the riding now. The Speaker would know that better than I; he's got them all memorized. They were at least three of the people who said, "Look, a tax cut may be fine somewhere along the line, but you don't do it till you balance the budget." This obsession with tax cuts made the government make the kinds of cuts that not even some of its right-wing ideologues had contemplated. As a result, we had circumstances where there was a lot of disarray in the water system in Ontario and certainly a lack of confidence in it after what happened in Walkerton.

**1630**

You can't cut 50% of the budget and one third of the staff of the Ministry of the Environment and expect that you're going to have those responsibilities carried out. But there's another aspect to it. It was not only the cutting of staff and resources; it was the removal of clout from the ministry. It was saying to ministry officials, "You should be business-friendly." They know how to define that. That means, "Don't get in the face of business." Good businesses don't worry about the Ministry of the Environment getting in their faces, because they're going to conduct their businesses above-board; they're going to be good corporate citizens. But those who want to cut corners are going to be the kinds of people who will want the Ministry of the Environment out of their faces.

When we see this legislation this afternoon, we have to go back to Walkerton to see why we even have this bill before us. I think most members of this House recognize the need for a huge infusion of funds for water and sewer works. We have companies in this province that have highly talented individuals working for them who have the reputation, who have the wherewithal, to carry out these works. It's not as though somehow we're going to have to import people. It's not as though we're going to have to create new companies in the private sector for the construction of these waterworks. We have them. They have the expertise. They've been waiting for a number of years to proceed with the projects they know are important.

Municipalities in some cases have been reluctant to undertake work that is related to water and sewer. Many in this House sat on municipal councils. We know it's not glamorous to open a sewage treatment plant. We know that to allocate expenditures for pipes underground that nobody can see is not always attractive, especially when

you can have a monument above-ground that everyone can enjoy on a daily basis. I recall, when I was on municipal council, saying at the time how important these waterworks were, not only the construction of sewage treatment plants, but then making them secondary and tertiary treatment plants and making sure their operations were effective so that we did not have contaminated water leaving sewage treatment plants and going back into waterways.

I've always felt there was an obligation on senior levels of government and on municipalities, and indeed on municipalities through water users themselves, to finance these kinds of works. Only the tragedy of Walkerton, where seven people died from drinking the water and over 2,000 people became seriously ill, some of them with effects that will be with them for a lifetime, prompted a commitment to a Safe Drinking Water Act and a commitment to this piece of legislation, which deals specifically with putting the waterworks in place.

We want to ensure a couple of things. I have a personal bias I'll share with members of the Legislature. I happen to think municipalities should own and operate their sewer and water systems. That's my personal bias. Not everybody in this House shares that. Not every municipality shares that. The very least I think a consensus would develop around is that the municipality should own the system. I worry that the agenda this government has is privatizing as much of that as possible. Indeed, I know there were people who have come from various municipalities to meetings in Toronto—I don't know if I'd call them secret meetings; let's call them non-advertised—with the former deputy mayor of Indianapolis. I can't remember the gentleman's name, perhaps somebody over there knows—Skip, Crik or something like that.

**Hon John R. Baird (Minister of Energy, minister responsible for francophone affairs):** I read his book, but I don't know.

**Mr Bradley:** I'm not surprised the Minister of Energy has read his book.

He talks about getting your own employees out of the waterworks system and other municipal systems and bringing in the private sector. That's what he calls for. That's a slippery road to dangerous situations. I see the effects of that now in Hydro, where there's a massive move to privatization. Have there been over the years, in Hydro, people who have been part of the system that was not Ontario Hydro? Yes, in the early 1990s there were many operations that came on that were cogeneration, that were private-public and private. Still, the system itself was a public system. There have been places in Ontario that have had electricity provided by others, but today we are moving massively into privatization in hydro-electric power, in all generation of electric power, and prices have skyrocketed.

That gets me to another point I'm concerned about with this legislation. A lot of people on fixed incomes, people of modest means, are seeing some dramatic increases in basic costs to themselves. If the cost of

Cadillacs goes up, those people are not concerned about that. The cost of luxuries or trips to France or something like this are going up, but they're not overly concerned about that. Let's examine some of these costs that are rising now. I mention the electricity bill. People are astounded and angry when they get their electricity bill, and with justification. Now they're starting to see their insurance bills come in, and those premiums are being hiked almost universally and substantially.

They're looking at the cost of gasoline at the pump, despite what Bob Clapp says, the vice-president of the petroleum association, who always tells me about all the competition out there. I really can't identify that competition well because all the gas prices go up at the same time and by the same amount. I always wonder how there isn't some kind of collusion as a result. So that's going up. The cost of natural gas and oil for people who heat their own homes is going up. The Ontario Energy Board apparently doesn't have the staff or the resources or the power to roll back a lot of these increases. I'm concerned about that. There are so many basic costs going up for people, and we're going to ask them once again to have a basic cost increase. I think that's going to have to be reflected in the social services part of the government, in pensions that are paid to people; in other words, to assist people in the lower-income area to meet those costs.

I think as well that that's where the provincial and federal governments have a role to play, the provincial government primarily because it has the responsibility in dealing with municipalities. When can the federal government be of assistance? On infrastructure programs. I know there are some people who don't like infrastructure programs. I like them. I think that when you have the federal, provincial and municipal governments working together as funding partners, we see a lot more get done and done quickly. That's why, I believe, when legislation of this kind is before the House, there has to be a commitment on the part of the provincial government to continue to provide funding to municipalities to assist them with these onerous costs. I think it was the Super-Build agency head who said it could be up to \$9 billion that would be needed, over a number of years, to fix up our water and sewer systems in the province.

I've no reason to doubt that. We're not just talking about new sewers, new water treatment plants, new sewage treatment plants, new lines under the ground and new testing centres. We're also talking about renewing what is there.

**1640**

Each one of us who was a municipal politician remembers the calls coming in—and they still come in to municipal politicians—about brown water, when the water would be rusty coming through the pipes, or water mains breaking, particularly in the winter. That's because on a progressive basis we have to replace them. We can't wait until they're all in trouble and then decide some massive program is going to take place. We should be financing that on an ongoing basis. Part of that certainly



can be handled by the provisions of this bill. But a significant role must also be played by the federal and the provincial governments, and I say particularly the provincial government in this regard.

Let me go back to see why we have this bill before us: the Walkerton tragedy which existed and what the situation was. In May 2000, Walkerton's municipal water system became contaminated with E coli 0157, and seven people died and about 2,300 people became seriously ill. Some children suffered damage to their kidneys. As a result of the infection, these children will have to rely on dialysis for years, perhaps for the rest of their lives. A study undertaken by the inquiry showed that the tragedy cost at least \$65 million; \$155 million if human suffering is included.

Part of this was, again, this obsession with this government wanting to cut the Ministry of the Environment. There's an organization called the Red Tape Commission. I don't think, Mr Speaker in the chair today, you were part of the Red Tape Commission, but I'll tell you, they put the most vengeful—and I say that not in as nasty a sense as people think—economically vengeful people on that commission. If I were to ask any one of these ministers individually, "What do you think of the Red Tape Commission?" and they were able to tell me without it being recorded or repeated, I think they would agree that the Red Tape Commission is not positive for the government; it's negative for the government.

They had created such an atmosphere that the Ministry of the Environment was even afraid to ask for additional resources or to put into effect new regulations to deal with the private laboratories that in 1996 were replacing the government laboratories. Even that atmosphere had been created by the right-wingers, the YPCs and the former YPCs who are part of this government, those who would be more inclined to be side by side with Ralph Klein than perhaps Joe Clark.

That reminds me: maybe he'll be coming to your town—we don't know that. If he likes theatre, he'll be going to Stratford certainly. But Ralph Klein and some of his ministers are going to show up in Ontario to fight the Kyoto accord. I want to see whether standing side by side will be the Premier of Ontario. Because, as I have noted on numerous occasions in this House, I see our Premier in the House speaking but I hear the words of Ralph Klein.

I should share with you the fact that I was Minister of the Environment of Ontario when Ralph Klein was the Minister of the Environment of Alberta. That was something to behold: Ralph Klein at an environment ministers' meeting. He would make my good friend Chris Stockwell look progressive when you listened to what he had to say about the environment. He's an individual who thinks that Swan Hill's toxic waste site is a tourist site. He's even mentioned that as a tourist site. He has dismissed virtually everything any environmentalist has had to say about the environment.

Years ago, Ontario used to be the leader. We would be prodding the federal government. We would be dragging

along Alberta, making them ashamed of their neanderthal statements about the environment. Today, shoulder to shoulder, arm in arm, we have the Premier of Ontario and Ralph Klein, the most anti-environment Premier in this country, speaking the same about the Kyoto accord.

You're going to say, "How would the Kyoto accord or indeed air quality affect this legislation or water quality"? One of the reasons is that some of the contaminants that reach our waterways are what we would define as "airborne deposition." That is, they're coming out of the smokestacks in this province, they're coming out of vehicles. They're what we find in our atmosphere that makes its way down to the waterways of the province, whether it's the lakes, streams, creeks, rivers, ponds or whatever it happens to be. It's important that we clean up our air for the purpose of breathing and for all the damage that it does, but also because it plays a significant role in contaminating our waterways.

Is this bill the only solution? No, it isn't, but the provisions of this bill can go a significant way to improving water quality in the province. First of all, you have to have a mindset that it is important, that people want to know when they turn on the tap, when they pick up a glass of water to drink, that indeed it is safe water.

Therefore we have to have a government that's committed to safe water. I believe this government was dragged, kicking and screaming, into legislation of this kind, and that if it got past an election we would see all of those obligations contained in the Justice O'Connor report watered down and that there would be a wink and a nod at many of them and very few of them would be implemented entirely, even though the government today will say that it wants to implement them entirely.

So it will take a massive amount of money to fix our water system. Should we invest that? We sure should. We have to begin doing it immediately; some of it's going on now, but we have to see even an accelerated pace at improving our sewage treatment plants, building new sewage treatment plants, improving our water treatment plants, building new water treatment plants, replacing those pipes underground and setting up laboratory services that are reliable. The regional municipality of Niagara where I reside has some lab services; it also has to contract out some of its lab work. It's going to be important to do that testing.

My personal recommendation would be that the provincial government re-establish the Ministry of the Environment laboratories which were unwisely and, unfortunately, tragically closed as a result of the budget cutting and slashing that took place in 1996, when Premier Eves was then the Minister of Finance responsible for making those cuts.

When the Conservative government came to power—in other words, before they were in power—the Ministry of the Environment had a combined operating and capital budget of \$529 million and a staff of 2,500 people. After they were elected, by the year 2000-01, the MOE was to have a combined operating and capital budget of only \$233 million, what amounted to a 56% cut. Of course, as

I've mentioned, more than one third of the staff of the Ministry of the Environment was eliminated, fired out the door. Some 42% of the MOE staff dedicated to water and drinking water have been laid off. That's according to figures that have been provided to us.

Let's look at testing before this government was in power. The majority of municipalities, especially smaller municipalities, such as Walkerton, used Ministry of the Environment laboratories to test their drinking water quality. We had some top-notch people working in those Ministry of the Environment labs. They had a protocol to follow that was very stringent, they had a public obligation. Their obligation wasn't to make money; their obligation was to provide a good service at a reasonable cost to people.

The Ministry of the Environment conducted regular water tests that were analyzed in a Ministry of the Environment lab. The average was about 400,000 tests a year. If the MOE discovered a problem with the water, they could take immediate coordinated action.

Let's contrast that after the government cuts, which presumably everybody in the cabinet and the caucus agreed to. In September 1996, all Ministry of the Environment labs were closed and responsibility for testing drinking water was delegated to municipalities—only eight weeks' notice, no significant consultation with the municipalities, no independent review of the availability or cost of private testing.

1650

*Interjection.*

**Mr Bradley:** The member interjects—not from his seat—“Wrong.” I think the people of Walkerton would disagree with him. I think independent observers would disagree. As I pick up the report of Justice O'Connor, he would disagree. As I pick up the report of the Provincial Auditor, on several occasions, and the report of the Environmental Commissioner—all of these non-partisan people, all of these independent voices—they say exactly the opposite of what the member contends. If he wants to defend the protocol that was in place when they closed the laboratories, he can certainly defend that. He can defend that protocol if he wants to; I will not. If he wants to attack the NDP, I'll let the member for Toronto-Danforth speak to that.

I well remember when the Walkerton tragedy came to light, the first thing the Premier did was blame the municipality, then he blamed the NDP and he didn't know who to blame after that. He was pointing the finger anywhere and everywhere.

*Interjection.*

**Mr Bradley:** My friend Marcel Beaubien will know that the Premier wanted to have nothing to do with a public inquiry in this regard. Day after day, members of the opposition, members of the news media and Leader of the Opposition Dalton McGuinty dragged him kicking and screaming into finally acquiescing to a public inquiry.

Let me say something positive about that public inquiry. As the Minister of the Environment said, I tend

to be a relatively non-partisan person in this House who's prepared to give credit where credit is due. I want to give credit to Justice O'Connor. When he was appointed, not being in the legal field, I didn't know too much about Justice O'Connor. I had heard nothing negative. I think his brother is Terry O'Connor, who a number of years ago was a Tory member of this House from Oakville, a gentleman I knew and respected. I asked some of our own members who knew the legal field. They said, “Justice O'Connor is a good person. He'll do a good job.”

I happen to like the way he conducted his inquiry. I thought he was thorough. I thought he was fair. I was there to watch him in action, particularly on the day when Premier Harris—for the first time in the history of Ontario, a Premier had to appear at an inquiry of this kind. I was there when he was there. I thought he conducted the inquiry very well. He cut to the chase, he focused on significant issues and I thought the report he came forward with was a thorough report.

This government claims it's going to implement all the provisions. I think I can safely say that will not be case. They may give a wink and a nod to them.

It reminds me, by the way, of the alternative fuels committee report. I was astounded to see the Minister of Energy and the Minister of the Environment get up and say nothing. Their lips were moving, but there was really no substance. I expected they would—

**Mr Beaubien:** Did you say their lids were moving?

**Mr Bradley:** Their lips were moving.

**Mr Beaubien:** Oh, their lips.

**Mr Bradley:** Their lips were moving, but I couldn't hear anything.

I know that the Minister of Health was looking for big things from that report. He expected, as I did, that there would be a sweeping reform of the government's attitude toward the environment, pointed to by the select committee and its recommendations.

I should say, and I think most of the members of the committee would agree, that if the government were to implement all the recommendations of the select committee on alternative fuels, I'll bet you they would meet the Kyoto accord.

I'm not supposed to say the minister is leaving, because he has pressing business.

I see my good friend Dan Miles. I remember when he was in the news media and said one week that he couldn't find the minister, or words to that effect. The minister couldn't be found for a comment—maybe the minister will correct me; I hope he does—but Dan Miles said words to the effect that the minister was nowhere to be found.

**Hon Mr Baird:** He was in Timmins.

**Mr Bradley:** He was in Timmins, he said. He obviously didn't get his telephone number. Because at the time he was disagreeing with the Minister of Health. He said, “Well, I don't know”—

*Interjection.*



**Mr Bradley:** The member for Haldimand was saying, "I've got the Minister of Energy on my side. Don't worry about the coal-fired plant at Nanticoke"—the largest polluter in all of North America—"don't worry about it, because I've talked to the Minister of Energy and he says everything will be fine," and the member seemed to be pleased with that.

When the media went looking for the minister, they went to my good friend Dan Miles who did a wonderful job, at least when he was in public affairs, when he was in the news media, said the minister was nowhere to be found. He was in Timmins, and I'm sure that—

**Hon Mr Baird:** With Gilles Bisson.

**Mr Bradley:** Here's the Chair of that committee coming forth now. He would agree with me—I'm going to say this—

**Mr Doug Galt (Minister without Portfolio):** On rare occasions.

**Mr Bradley:** On rare occasions he would. I just said, Doug, that if this government implemented all of the provisions of our committee report—chaired by Doug Galt, I've got to say, because I saw it was somebody else a while ago—I would think they would meet the provisions of the Kyoto accord as they relate to Ontario. I hope, as he does—

*Interjection.*

**Mr Bradley:** We will help you out. We have to be more ambitious. We'll help you out with that, try to move that date up somewhat. You know you have to compromise with these things so that the Conservative members will sign on, and they had to compromise so we would sign on to some things, to be fair.

Anyway, I digress and the Speaker has been only too kind in permitting me to digress.

I want to deal with the financial help for municipalities. I have the Minister of Municipal Affairs in the House—by the way, I agree with the Minister of Municipal Affairs that he was making some progress when he was minister responsible for gambling. I only wish, out of all the members on the government side, he had stayed in that portfolio or had that responsibility, because gambling is totally out of control now. He received an award from citizens for responsible gambling, and I thought he deserved it, because I thought he listened to what we in the opposition had to say about all these video lottery terminals in every bar and restaurant of every village, town and corner store and so on, the crack cocaine of gambling, and I thought he was moving in that direction. As soon as he left the portfolio, through the backdoor came all these slot machines in what used to be racetracks.

But that's not what I want to address. For the Minister of Municipal Affairs, I hope he can secure the funding needed—because he meets with municipalities—to help those municipalities not just for one or two years but well into the future. I'll support him in his efforts to secure the funding from the Treasurer and from the Premier because the onerous obligations on those municipalities will cost them a lot of money. He and I would agree that those

things have to be done because clean, safe water is absolutely necessary, but to do so—and that's what Ontario's about; I always thought that's what our country is about—some parts of Ontario have to assist other parts of Ontario. That's why we have a province. I used to say that nationally when there was the argument over energy. I used to say that Alberta's oil is Canada's oil. Ontario's forests are Canada's forests. The fish off Newfoundland, New Brunswick, Prince Edward Island and Nova Scotia are Canada's fish, not just fish belonging to those provinces.

The same thing is true in Ontario. I know the Minister of Municipal Affairs will be worried when he hears now about hydro rates and what could happen to rural Ontario and more remote areas. I know he's worried about that. He will be speaking up in cabinet for those municipalities which are going to be hit with yet—I'll call it—a quadruple whammy when it comes to electrical rates.

The point I want to make is, municipalities, to carry out their obligations under this bill, are going to have to have some financial help from the province. The people who live there alone, the water users alone are not going to be able to sustain that, so they're going to need that kind of assistance. I hope we see clear evidence of that. If we can put it in the form of an amendment, in this legislation, good for us. I may even consult with the minister on that, although I can't say that because then he might get in trouble with his colleagues, as to what we might see that would be helpful in that legislation. I think he recognizes that lower-income people are having a tough time of it with all these increases in costs that we're seeing now, some of them unavoidable and some of them avoidable in my view. Nevertheless, they have to face them.

**1700**

Another ministry I was concerned about—I think the Minister of Municipal Affairs was the Minister of Natural Resources at one time—was the annihilation of the Ministry of Natural Resources in terms of cuts—huge cuts to the staff, huge cuts to the resources. I think what a lot of people didn't recognize, and he would recognize this, was the very significant role the Ministry of Natural Resources played in water quality, particularly in assisting the conservation authorities. Again, Finance Minister Eves made huge cuts to those conservation authorities. We're seeing some of the money coming back now and I'm happy to see that. The road to Damascus is full of Tories now trying to repent for their past sins of neglect and of commission and omission in the field of the environment. But we're happy to welcome the sinners to the conversion to good in the environment, let's put it that way.

I look at the minister and say that natural resources and the conservation authorities have to have their staffing and resources restored. We will all recall that last week the Environmental Commissioner noted the following with regard to this government. He said: "The provincial water quality monitoring network ... has provided the main overview on water quality data for rivers and

streams. Unfortunately, the MOEE”—the Ministry of the Environment and Energy—“severely cut back on its monitoring network, from 730 stations in 1995 to 240 by the year 2000.” That’s 500 monitoring stations. That’s a huge cut.

One wonders whether the provincial government has learned its lesson of Walkerton. I hope they’re being restored. As a former Minister of Natural Resources who had some interest in water quality, I’m sure the present Minister of Municipal Affairs will be imploring his colleagues to restore that funding. He wisely capitulated to my friend Mike Colle, the member for Eglinton-Lawrence, after he raised the issue—because he asked me this. I wasn’t going to say this but he said, “Read the section on the Oak Ridges moraine.” I was glad he capitulated to the pressure of the opposition in that regard.

Let me talk about those conservation authorities and the good work they used to do in the field of water quality. You see, they are going to identify a lot of the problems. They may not be there to put in the pipes, the sewage treatment and water treatment plants, but they are going to be there to do some significant monitoring and assessment of an entire watershed. We must recognize that it’s not only the treated water that’s important, but the raw water coming into the treatment system should be as clean as possible.

The bill the government brought forward on what they call nutrient management—and we’re the only people in the world who call that “nutrients” I’m sure; I would say “sewage sludge management” and “manure management”—was not a very strong bill. Again, farmers have to have help financially with the implementation of that and you have to have the staff of the Ministry of the Environment, the Ministry of Agriculture and Food and the Ministry of Natural Resources supervising, intervening and policing this. And what we don’t see in this government is having that staff available, largely because they don’t like what they call big government.

I want to say as well that in terms of the airborne pollutants that make their way into the waterways, we have come forward with a pretty ambitious program, I believe, and a sensible program in Ontario to improve air quality. One is a very significant increase, far more than this government has contemplated, in the field of public transit. I think everybody knows that the Eves government, because he was the Minister of Finance at the time, when it came into office decided to get itself out of public transit. Great pressure, again, has brought it back into the game, but we obviously need a strong investment in public transit to give people an alternative to having to use their own vehicles every day to get into and out of places such as Metropolitan Toronto. That would help improve air quality.

Second is a clean air program which would look at every stack in the province, private and public sector, as we had with the MISA program—the municipal-industrial strategy for abatement brought in by the Peterson government for water—that we would have to ratchet down the amount of—

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** Was that funded by Clean Sweep?

**Mr Bradley:** It was funded by government funding. We were prepared to invest in those days in the improvement of the environment. This government wishes to withdraw from those areas. I think that’s important.

Conservation measures: you would recall this, Mr Speaker, and I would. There have been efforts over the years to drastically reduce power consumption through making our appliances in the house more efficient. The fridges produced in the year 2002 are far, far superior to the fridges produced 20 years ago in terms of energy efficiency. People putting in a new air conditioning system would find now that, first of all, they have to use a much more benign coolant and, second, something that’s much more energy efficient. In other words, we have a long way to go on conservation. We in the Liberal Party believe that conservation can be brought about in a sensible way with an investment by the government and investment by individuals, with the private sector doing most of the work. We can make our homes, our industries, our businesses and our buildings much more energy efficient.

We believe there should be a significant investment, whether it’s through tax incentives or direct assistance, to help with alternative fuels, bringing on-stream fuels which are much more benign environmentally or perhaps totally benign environmentally as far as air quality is concerned. That relates again to the deposition that we would see.

I remember during the leadership campaign the now Minister of Health, the Honourable Tony Clement, talking about closing the coal-fired plants. I can’t help but believe he would think the government is being very cautious in using the year 2015 to finally close the largest polluter. The reason I say that is that he’s Minister of Health. He has a special obligation to the people of Ontario in the field of health. He’s heard the Ontario Medical Association say that 1,900 people die prematurely each year because of bad air quality, that 13,000 people have to go to the hospital, that health costs alone are \$1 billion a year and the total cost to health and the economy is \$9.9 billion a year. This isn’t some radical environmental group; this is the Ontario Medical Association. They must be flabbergasted when they hear this government wanting to take so long to close those coal-fired plants and replace them with forms of electrical power that are derived from much more environmentally benign ways of producing them.

You would know as well, because you’ve been to Niagara Falls, that there’s a huge power operation there. It used to be Ontario Hydro. We have Beck 1 and Beck 2, as we call it. We now would like to see—and the Leader of the Opposition, Dalton McGuinty, went to Niagara Falls to reiterate the commitment, with the mayor of Niagara Falls right there cheering him on—the expansion of the operation in Niagara Falls to what we call Beck 3: new generation coming on-line that is, in terms of air quality, totally benign, and even its disruption of the



water system is minimal. It has already had its environmental assessment. All of this would help water quality in the province if this government would indeed proceed with that.

1710

I want to indicate as well that I like the idea of a centre for clean water in Walkerton. Where else but Walkerton, which had to suffer because of this government's negligence, this government's abandonment of the Ministry of the Environment? I think it's a good idea to have a water centre there. I think we should get the best experts back—we used to have them, by the way, in the Ministry of the Environment before they were fired out the door—to do that work appropriately and to look at even better ways of cleansing our water, although I must repeat, and the member for Ottawa West-Nepean—it used to be Ottawa-Rideau—would know this, that protecting the source of the water is most important. If you protect the source of the water, you have a much easier time with your catchment systems and your purification systems. So I know he would support everything I would be saying this afternoon. I just have the feeling that he would.

**Mr Garry J. Guzzo (Ottawa West-Nepean):** I always did before.

**Mr Bradley:** And he did before. I agree with him, and I like to hear that.

There are problems with the private laboratories out there, and they may be cleaned up. Fine Analysis Laboratories in Hamilton has been charged, in fact, for violations because of inconsistencies in their operations, real problems: tests not being done, perhaps the falsification of the results of tests and so on. I see on a second occasion, on Boblo Island, there's a problem with this company again. We've had exposed in this Legislature the fact that the government had not been supervising private laboratories as well as they should, so we had testing being done that was inconsistent with what the government said were its requirements in that testing. So I think the government has to go out to each of these laboratories to do an inspection on an ongoing basis to ensure that everything that is required of them is being carried out—not just hope that they are doing it or that some third body is supervising, but that they themselves are supervising it. Then we could have at least some confidence in the water supply in the province.

I am concerned that this government has an agenda to privatize—I mentioned that early on in my remarks—and that many in this government would like nothing better than to see international companies come in to run water systems. I have heard of some bizarre schemes from outside this country. My own regional municipality of Niagara was looking at a scheme where a company in the US was going to come in and was going to give them all kinds of money, and they could use it as a tax write-off in the US. It sounded fishy to me. It reminds me of—is it MFP that's having the problem? MFP, which had financial services in Toronto and other places, has encountered some problems. I think municipalities should look long

and hard before turning over their services to the private sector.

I don't mind—there's a public body out there, a quasi-government body, called OCWA. We used to call it the Clean Water Agency in Ontario. It was an outgrowth of the Ministry of the Environment. It became an independent kind of crown corporation. I know the government wants to privatize that. I hope they do not. I can see them operating certain of these facilities because they are in the public domain, but I think municipalities should be operating their own systems, or in combination with other municipalities, or another government body operating them. Listen, the government shouldn't make cars, steel; it shouldn't make a lot of products out there. It shouldn't be in a lot of fields. One field I think it should be in is that of the producing of water and the delivery of water.

They don't build these systems. We have a construction industry out there that's expert in the field to build these systems, so we're not asking that the government build them. We're asking simply that the government operate them and certainly at least, at the very bare minimum, have ownership of these systems.

All I looked at is Highway 407. That was given to some conglomerate, and today people are being gouged left and right with huge increases almost yearly, perhaps twice a year, in the costs of using Highway 407. This was something that should be a public highway, in my view, and it is in private hands. People are being gouged every time they use it. Certainly I get calls from many of my constituents about that.

I'd like to see the government get back into what I refer to as the LifeLines program, a progressive program that allows municipalities, with the help of the province, perhaps with the help of the federal government in infrastructure programs, to improve their pipes, to replace the pipes that are there or to replace the systems.

What would this do? First of all and foremost, what we're concerned about in this House for the people of Ontario is that it would improve the quality of water and give us a much better chance to have clean and safe water in the province. Second, it would create thousands upon thousands of good paying jobs. It would help our communities in which those individuals live and the businesses that are involved in that. That's secondary, but it's still extremely important that we have that, because we don't want to see another Walkerton.

I urge this government, if not through this legislation then through other legislation, to ensure that we restore the staff of the Ministry of the Environment with all of their expertise, enthusiasm and knowledge, and their knowledge of the history of the province and the players within the water system, that we restore that ministry to where it was many years ago when it was a prime ministry, an important ministry within the government of Ontario. I urge him to give the financial resources, because it's not an expenditure; it's an investment in public health and safety. I implore them to give clout back to the ministry. Instead of telling them to be "busi-

ness-friendly," I would simply ask them to be fair and equitable in the way they deal with everybody and to do their job appropriately. We need a good investigations and enforcement branch. We need a strong abatement branch. We need the scientists, technicians, policy analysts, financial people and legal people within the ministry to be able to do the job appropriately.

Walkerton should have been a wake-up call. Perhaps the critic for the NDP would have the same concern I have: that if the government were to win re-election, then much of the concern we hear about the environment would evaporate mighty quickly; that we wouldn't see the restoration of the Ministry of the Environment or of the Ministry of Natural Resources; that we would see massive privatization—

**Mr Beaubien:** What year were you the Minister of the Environment?

**Mr Bradley:** From 1985 to 1990.

*Interjection.*

**Mr Bradley:** I don't think I'm supposed to reply. The Speaker wants me to speak to the bill. I'll try not to respond, because I should speak to the bill.

How about this bill? What do we think of this bill? I think the concept is good. I agree with Justice O'Connor, I agree with the environmentalists, I agree with some municipal people that we want to see an appropriate investment, a strong investment, of funds into waterworks in this province. I use that in the broadest sense.

Should we want to reflect the capital cost, the operating costs and so on to a large extent in the cost of water? I think so. But with capital cost in particular I think it's important for the province to play a helping role, a helping hand. Instead of proceeding with more tax cuts—we have huge tax cuts coming to the corporations. We have a private school tax credit out there which is causing to a certain extent a large exodus from the public school system or contributing to it. We have a government that has spent a quarter of a billion dollars on self-serving advertising that any objective observer would say is clearly of a partisan nature. If only we could use those funds for the public good, that would be advantageous to our municipalities and the people they serve.

1720

I think the government of Ontario, whichever government it is, has an obligation to remind municipalities of their obligations when it comes to the delivery and treatment of water in the province. As the population increases, we'll need more treatment facilities for the water itself and for the sewage.

The provisions of the one bill we have seen to deal with nutrient management have to be strengthened considerably. The regulatory framework has to be tough, because right now raw sewage from what as kids we used to call outhouses can be taken and spread on public land for a full five years. I don't think the farmers are very happy about that. I know the farming neighbours are not happy with that. If anything is going to be spread on the fields, they would prefer to see that it has been treated and approved by the Ministry of the Environment,

because it has been done over the years. There are some who want to end that completely, but most people are saying, "At the very least let's have strong supervision of that. Let's follow the rules. Don't be putting it on when it has rained for 18 straight days. Don't be putting it on in the wintertime when the frost is in the ground and it's going to go into our waterways." Some of the stuff they're going to allow to go on the fields is simply unacceptable.

So there are many areas in which the government can become involved, but what we've seen in this legislation and in other bills that are coming forward is what I would call a deathbed repentance.

I want to repeat what I said at the beginning. There are no people in Ontario, outside of very ardent supporters of this government, who believe they ever had any intention of passing this bill or any other bill that was going to substantially improve the environment. To this day—I don't want to paint everybody with the same brush—there is a large contingent in the government, cabinet and benches, that thinks this is nuts, that we shouldn't be spending all this time on environmental issues and that they should have carried on in the mode of Mike Harris.

I find this a bill that will be interesting to debate. I'll look forward to providing some amendments and listening to what others have to say in this House.

**The Acting Speaker:** Comments and questions?

**Ms Martel:** I wasn't here for all the debate from the member, but I'm sure that in the time he spoke he talked about his concern regarding the ability of small communities in particular to have to pay.

I want to reinforce that by using an example from my own riding. This has to do with the clean water guidelines, which this small community is trying to cope with right now, even before we get to the issue of paying for the cost of water. This is the small community of Foleyet. It's the most northern community in my riding. It's an unorganized municipality. It's run by a local services board that is volunteer. It has virtually no commercial or industrial base. Essentially, the residents pay for everything.

As a result of their engineering report, the engineer has told them they need about \$233,000 worth of repairs to their water plant in their community. That application has gone to the Ministry of the Environment. Their engineer has also told them that in all likelihood about \$100,000 of that cost will not be covered through the OSTAR program, and that is going to be a cost they will have to deal with themselves. After they find out what that share OSTAR is not going to cover is actually going to be, the community will then go to the northern Ontario heritage fund and hopefully be able to apply to a program there that may provide them with some costs. Right now the cost-sharing is to be 50-50 on \$100,000, but it says that in exceptional circumstances perhaps the Northern Ontario Heritage Fund Corp will do more. We don't know what they're going to do with this application when they finally receive it.

The point is that even if the community has to deal with \$50,000, they can't find that money. There is



absolutely no way they're going to be able to find that local share. If you then force a community like this to deal with the actual cost of water, I can tell you that you might as well turn off the taps, because people in that community can't afford it.

I don't think I'm alone. I think there are a lot of other northern communities in the same boat. We really need to think about that implication as we deal with this bill.

**Hon Mr Hodgson:** I listened to my esteemed colleague from across the floor. We are talking about Bill 175. I noted that sometimes he went on the odd tangent, that we were into other areas.

**Ms Churley:** What did you say? What bill are you talking about?

**Hon Mr Hodgson:** Bill 175, the sustainability of full-cost pricing for water and sewage. I think everyone agrees with the concept: that we should have the dollars go back into the system to replace our aging water and sewage systems and that price should reflect that. It's how we get to that point to pay for it that's the big question.

That's why I was so pleased to introduce substantially the same bill as Minister of Municipal Affairs about a year ago. I'm glad it's over in Environment now, because it should be one-stop shopping. You need to coordinate the policies with the pricing. For example, the Ministry of the Environment, which the Liberal Party seems to like, I think should be more about laws and regulations—clear, clear rules—not so much of these murky policies and procedures. You need to have clear standards so then you know what the cost is to build modern water and sewage systems throughout Ontario and to operate them on a sustainable basis.

There are two components to how we cost-share that; one is the capital, building the infrastructure required. O'Connor talks about a levy for users that's shared across the province. Then going forward with the operating costs, how do we get that on an economy of scale so it's affordable for the small towns that I represent?

I can give you a small example of a solution that you may want to start looking toward, and that's how we pool the cost of that. In the small town of Kinmount, if they were to comply with the new water regs, it would cost users about \$1,700 a year. It's clearly not affordable for our seniors. By pooling with a larger entity, they can get that down to a manageable cost. We need to look for solutions, as a Legislature, to make this bill work.

**Mr Bruce Crozier (Essex):** I couldn't agree more with the minister that we should look together as a Legislature for solutions to these problems. That's why I'll be interested to see, when we bring some amendments to this legislation, how well they're accepted by the government, because they will be given truly in the light of trying to improve the legislation.

I don't think there's anybody in this Legislature who is any more concerned with the environment, with water quality and with safety of water in the province of Ontario than is the member for St Catharines. I want to support him in a couple of areas where he spoke out; one is with publicly owned and operated systems.

When it comes to water in this province, I am one who stands steadfastly by the rule that the municipality should own the system because there is accountability in it. We've seen too many examples where the private sector has come in and is not accountable. Water shouldn't be one of those where we lose any kind of accountability.

When it comes to operation, I think the member for St Catharines gave a very good example: OCWA. I was chair of the Union Water System when I was mayor in Leamington. It was a co-operative venture between industry, the H.J. Heinz Co, and a number of municipalities in the area. It worked very well: publicly owned, operated by OCWA, the Ontario Clean Water Agency. So I support my colleague to the limit in that issue.

When it comes to full cost recovery, I think we have to look at small municipalities that can't afford some of the big bills they will face. I hope we're able to assist them in that matter.

**Mr Bisson:** This is like much of the same. This is in keeping with what this government has been doing trying to deal with the crisis of water across the province. The government brought a number of regulations in about a year and a half ago, somewhere around there, to deal with the Walkerton situation, which, I would argue, the government created. As a result, a number of communities are unable to meet the commitments they have to meet under the regulations this government has already put forward.

I've got communities like Mattice and Moosonee—I just heard about Foleyet, and there are others across the province—that are having a hard time as it is now meeting the requirements you're forcing them to meet under your new water regulations.

1730

The government's response to all this is, "Don't worry, we're not going to tell you how to pay for it, because we're not going to put any money forward. We're going to move the deadline for you to meet the regulations from December 31, 2002, to the beginning of July." Hopefully, the government figures, by that time there will be a general election and they won't have to worry about dealing with this little hot potato before they get into that election. Rather than the government saying to these communities, "Here is the money you're going to get to build your infrastructure to meet the current regulations," the government is saying, "We'll deal with it by pushing forward the date for implementation."

This bill just sort of compounds the problem. If communities like Mattice, Foleyet, Moosonee and others are having a hard time trying to meet their requirements under current guidelines, how are those municipalities and the residents in those municipalities expected to catch the full cost? It's just not doable in any of those communities.

Our opposition from the New Democratic Party is that philosophically we can agree with much of what you're trying to do here, but the point is, you've got to put the money forward. The province has to be serious. If you believe you have the responsibility, which I believe you

do, to make sure there's safe drinking water in Ontario, the provincial government has to pony up to the table and put the money there so that municipalities are able to meet those regulations, and that's something you've failed to do up to now.

**The Acting Speaker:** The member for St Catharines has 120 seconds to respond.

**Mr Bradley:** I like this provision that allows members to respond. I think the member for Nickel Belt and the member for Timmins-James Bay, both being from the north, recognize the great difficulty some of the smaller communities are going to face in meeting their obligations. The answer isn't simply to lessen the obligation; it is to provide financial assistance to them.

The Minister of Municipal Affairs was helpful in his comments. I will simply look to see how much of an investment we're going to see from the provincial government in the capital end of improving and expanding the water system in Ontario.

The Minister of the Environment will also have a role to play in securing the funds—I wish him well—along with the Minister of Natural Resources. Particularly when he noted the 730 monitoring stations down to 240, he must have been shocked and disappointed. Now that he's the minister, he'll have a chance to make changes to that.

My friend from Essex, who himself was a municipal councillor at one time, recognizes the importance of not turning this over to the private sector. Of course we expect the private sector will build our infrastructure, but we do not believe you should take out of public ownership the situation that exists with water systems in this province.

In the case of Walkerton, of course, if this government had not cut its staff, if this government had not abandoned its public labs, if this government had put in place a protocol for reporting, then Walkerton would not have happened. So they need not point their fingers at the mayor. When the government wants to know why this happened, they can look in the mirror.

**The Acting Speaker:** Further debate?

**Ms Churley:** I'm very pleased to see the Minister of the Environment is back to hear my comments this evening. I guess I'll be wrapping up tomorrow.

I'm going to start by clearing up some things and discussing the issue that seems to be dominating the debate so far today, and that is the whole issue around cost recovery. It's a very dangerous thing—and the Tories accuse the opposition of doing this all the time and we accuse the Tories of doing it and it's done frequently—to cherry-pick from reports items that reflect your own philosophies. That's was done today by the minister and some of the other Tory speakers.

I want to advise everybody to read these books. I've got them both here, part one and part two of the Walkerton inquiry. Here's part one. There's a lot of reading here. I would also advise everybody to read the latest Environmental Commissioner's annual report. When you read the entire books and the recommenda-

tions, you will get a bigger picture of what we're talking about here. We seem to be talking about this bill today in isolation from the multi-barrier approach that Justice O'Connor talked about, one of which, the key, was source protection, groundwater protection. We have a nutrient management bill that didn't deal with that. We have a safe drinking water bill that's coming forward that's not going to be dealing with that. We have this bill before us today which isn't dealing with groundwater protection, source protection. I did hear the minister say that he would be giving and has given the conservation authorities \$8 million, I think he said, to go out and do those studies and to come back, and maybe in six months or so they will be ready to start working on a source protection bill.

Well, I'm just counting the months here. Here we are in October—November, December, January, February, March, April. Everybody's talking about an election, Mr Speaker. You would know better than me, being part of the Tory caucus. I just hear all the rumours and little hints. We're not sure, but there's a pretty good likelihood, if hydro rates have not soared totally through the ceiling, that before the summer comes and the rates go through the roof again they may try to squeeze this election in in the spring and we're not going to see a source protection bill before this House. So my recommendation is that in fact this bill be amended, and I will be bringing forward such amendments.

We heard from the conservation authorities and the Canadian Environmental Law Association about this, that when we talk about cost recovery, in fact what's identified in this bill is too narrow and that municipalities and regions need to also be able to recover those costs for the work they do on groundwater and source protection and studies. That's not included in there.

I want to point out to people to turn to pages 312 and 313 in part two of the Walkerton inquiry, because Justice O'Connor spends a fair amount of time discussing user-pay or cost recovery. He addresses some of the issues that are raised by my colleagues here today and indeed are very serious concerns. I want to in particular read this to you. The government members should listen and the Minister of the Environment should take a look at this.

He says, after he says some other interesting things about different kinds of financial models that could be looked at:

“...the financing of water systems does not occur in isolation of other pressures on municipal budgets. In light of recent restructuring in the municipal sector, especially the transfer of additional open-ended social service costs (eg, welfare) to municipalities in 1998, there is currently some uncertainty about the ability of municipalities to finance all of the programs that they are responsible for, including water services. Municipalities may be reducing spending (including borrowing) to plan for potential increases in social service costs. Although I consider it beyond my mandate to make a recommendation in this area, I encourage the province to publicly review the program responsibilities and fiscal capability of municipali-



ties in light of recent restructuring to ensure that the financial pressures on municipalities do not crowd out the adequate financing of water systems.”

There it is in Justice O'Connor's report, pointing out, I would say very carefully and gently—we don't call it restructuring here. We call it downloading, blatant downloading of services to the municipalities without giving them the resources to cover it. Justice O'Connor acknowledges that problem in his part two report and highly recommends that the government take a look at that.

So while the Minister of the Environment and other government members get up today and start talking about cost recovery of our water services, they better take heed that most municipalities will not be able to afford it.

1740

I know—and you should get the book out and take a look at it—that Justice O'Connor does not recommend a particular financing model, and neither does this bill. If you go to the Web site, the Walkerton inquiry heard from a lot of different people and organizations and a lot of deputations on different financial models, some of which tried to take the issues raised by my colleagues today into account.

Certainly what we don't want to see, of course, is any municipality not being able to afford to keep their drinking water safe, and we don't want differential standards according to the ability to pay to upgrade a system or to follow the regulations. My colleague mentioned that the government brought in new regulations and didn't give the municipalities the money to enforce them. What did they do instead of giving them those resources, either under OSTAR or SuperBuild? They just postponed for six months.

**Ms Martel:** That's one way of doing it.

**Ms Churley:** That's one way to do it. They said, “You don't have to follow through with those regulations,” instead of giving them the money. That's unsafe. They brought in new regulations to make water safe after Walkerton and then said, “OK, if you don't have the money to pay for it, you don't have to do it right now.”

We want to make sure, as we bring in new laws and new regulations, that all municipalities across the province can afford to keep their drinking water as safe as possible.

Also, I want to point out that when we talk about user fees or paying for the water, we should not just be talking about those of us who turn on the taps. This is a dangerous area to get into, I suppose, but it shouldn't be just residents paying for the water they're using. Think about all the industries—and I suppose the calls will be coming soon. If we're talking about user-pay, we have to be talking about everybody who uses our water for free. There are all kinds of industries—and I'm not going to name any of them, but you can think about it—that use an enormous amount of water for whatever the charge is for a water-taking permit—\$50 or \$100; I don't know what it is. It would just take a minuscule amount of money—we're not talking about a lot of money—if we went to everybody in this province and said, “You have to start helping to build up our infrastructure.”

We need to be looking at all of the different kinds of financing models so that there is no municipality, under any circumstances, that can't afford to pay for capital investment. In fact, I would argue that the government should continue to work with all municipalities, as the NDP government did when we created OCWA, the Ontario Clean Water Agency, to get grants for infrastructure upgrades, upgrading their sewage treatment systems and water systems, as long as they agreed to water conservation. We have good examples of the municipalities that did that. They got the money, they built new plants with conservation built in, and they're saving money. So it all makes sense. There are models out there that we can look at as well in other jurisdictions around the world that brought in different forms of user-pay.

I would say to everybody, we are focusing on this particular aspect today. This is something we have to work at in consultation with the municipalities, with environmental groups, with all of the interested people—municipal, sewer and water workers, conservation authorities—and come up with a model that works for everybody. A huge component will have to be conservation, because if we look at what's happening to our precious water sources, more and more calls for bulk water exports and the implications of that, and water being drained from the Great Lakes, we have to take a very good look at how we're using our water. It's not just a matter of keeping our water as clean and pristine as possible, and that means when it comes out of the pipe, but it also means ground source protection.

I would say it absolutely needs to be included in this bill that municipalities, whatever financial structure we come up with ultimately—a fair one for everybody—will be able to afford to keep their systems up to date, and the provincial government will do its part and, as Justice O'Connor is suggesting, look at the kinds of services that have been downloaded and are just breaking the banks of our municipalities and take back some of those services, particularly if they go ahead with this user-pay and just completely pull out of infrastructure repairs and upgrades, which of course they can't do.

I thought it was very important to talk about that. I would urge everybody to look at these several pages that deal specifically with the costs and different ways of financing it and to go to the Web site.

Justice O'Connor also talks about future capital costs. On the same page, 313, he talks about: “The greatest future costs facing some municipalities ... appear to be for infrastructure. In light of my recommendation that municipalities, barring exceptional circumstances, pay for those costs from local revenue sources, I discuss here the financing options that are available.” He does come up with a number of possible ways to get this huge amount of money for infrastructure costs. But he doesn't give a particular recommendation on how it should be done.

On page 315, he does talk about the role of provincial subsidies. He says—and I'm paraphrasing here; I'm not reading the whole thing—that from a safety standpoint, if

municipal water systems are operated on a sound and sustainable financial basis, there are some that need subsidies from the province. "Experience indicates that relying on subsidies from senior levels of government can be unpredictable," as they certainly have been under this government, "and, in some cases, can lead to delays in decision making about necessary capital expenditures." He says he did not "consider it appropriate to make a definitive recommendation in this area," but he does acknowledge there is a huge amount of money involved in this.

That's the issue around user-pay. We have an opportunity over the course of the hearings to study the different funding models and then try to decide on the best one, so that no municipality, no single person, ever has to worry about turning on their taps and having no water come out—having the water turned off—which happened in England after privatization, by the way, because people couldn't afford it; and, secondly, that somebody's water in a smaller municipality is not as safe because they don't have the money to do the upgrades. Nobody wants to see that, and I'm sure the minister doesn't as well. So we have to take a very cautious and careful approach as to how we end up financing the system through user-pay.

I want to continue my discussion on this bill today with the backdrop of why we're here discussing this bill. We'll be discussing the government's own Safe Drinking Water Act soon. I'm not going to go into that a great deal today, because I'll have an opportunity in the near future to explain to people what happened and why my Bill 3, as promised by the Premier, didn't get off the ground and the government is now introducing its own Safe Drinking Water Act. It doesn't have all the components of mine, and I want to explain why that's a problem. But I think I'm going to leave that for another day, except to say now that because I don't believe source protection is ever going to see the light of day of—I should explain that what Justice O'Connor recommended is that the government bring in a safe drinking water bill. Granted, it would be different from mine, because he took a different approach, but he made a very fundamental case that, as I mentioned before, a multi-barrier approach had to be taken. In fact, the first 17 of his recommendations in part two are about groundwater and source protection. I'm going to argue strenuously that the groundwater, the source protection piece, be put back into my Safe Drinking Water Act because it won't work, and none of these bills will work and protect us from another Walkerton, until we go forward with source protection. Justice O'Connor makes that very clear. What he recommended was that the EPA, the Environmental Protection Act, be amended to deal with groundwater and source protection.

1750

If I believed that was coming—and I like to see all of these things coming together so we don't have it all piecemeal. But it's not here, it's not going to come and we need to use this opportunity to get the source protec-

tion in and include it in this bill in the context of the financing, that municipalities and conservation authorities can also raise money to do that kind of work. As I said, the conservation authorities have written a letter to the minister expressing those concerns, as has CELA, Canadian Environmental Law Association.

I wanted to do a backdrop here, and Mr Bradley went into more detail than I'm going to because I want to talk, as I have been, more substantively about the bill, but I think this is important. Back in 1995 there was, I think, about \$529 million in the Ministry of the Environment budget, and in 2000-01 it was down to \$250 million. That's an outrageous, astounding cut. We know about a third of staff was laid off and 42% of water-related staff were just gone. This was all before Walkerton happened, and then the labs were closed down.

I do want to clear up something else. I've got part one from the Walkerton inquiry. When Mr Bradley, the member for St Catharines, was speaking, I didn't quite hear the comments from over there about what the NDP did. However, a member from the Tory caucus came over to me—he's not here now, which is too bad, but I want everybody to hear this—and said, "Basically it was your fault. Didn't you know that Walkerton started using a private lab in 1994 when you guys were in power?" And I said, "No, I don't think so." "Oh, yes, they did. They did. It's all your fault," bringing it back to the NDP again. Just for his benefit and anybody else—and we do want to get away from the blame game in terms of that now; I'm sure the people of Walkerton do, way back to who privatized labs and when—but to hear a government member after all this time, when it's been made very clear, after Mike Harris went to Walkerton and tried to blame the NDP for what happened, to have a member in this House walk over to me today and say that is outrageous.

So I will ask everybody to go to part one of the Walkerton report and turn to page 370 and 371 where Justice O'Connor goes through, in great detail, what happened in Walkerton and the history that led up to the tragedy.

And you know what? I don't think most people are aware of this because we don't talk about it very much. The government didn't just close down the four big labs across the province, the water-testing labs that came under the Minister of the Environment—you may not even know this, Mr Speaker—but did you know that before September 1996 there were 13 public health laboratories operated by the Ministry of Health in this province? And did you know those labs were also closed down? So on top of the four Ministry of the Environment labs, these 13 public health labs were closed down in 1996. I want to point out to the member who—how shall I say this?—gave me incorrect information that he should read this page, and here's what it said:

"Before September 1996, there were 13 public health laboratories operated by the Ministry of Health that also provided microbiological testing of drinking water for municipalities. These municipalities were advised that all



of these laboratories would stop providing this testing in September 1996. Before then, drinking water tests had been provided to the Walkerton PUC by the Ministry of Health laboratory in Palmerston."

Can we just clear that one up and get it out of the way? In fact, they were getting that testing done for free, because another thing the Tories like to bring up—and I see a former Minister of the Environment agreeing with me on that, or maybe he's nodding to his colleagues over there. I'll give him the benefit of the doubt that he was agreeing with me.

They point out, "The NDP started privatizing labs in 1993." We did, and you talk about user-pay—we were in a recession and that was one of the things: we did not close any labs. Some municipalities were coming to us, saying, "We'd like to use the private labs, to give them the business in our communities," and a few started using those labs and paying for it. The majority—in fact, Justice O'Connor talked about it on the same page, that according to the director of MOE's laboratory services branch, business only fell by 6%. So it's very clear that not a lot of labs—those who didn't feel they could afford it were still getting free tests by the Ministry of Health

labs. They had to pay a certain amount of money, but just user-pay for the testing they had from the Ministry of the Environment. I just wanted to, hopefully, set the record straight on that once and for all.

Time does fly, doesn't it? I should wrap up here now. What I'm going to do, and I'll just give you a preview of where I'm going to go tomorrow when we pick up the debate on this—

**Mr Bisson:** Stay tuned.

**Ms Churley:** Stay tuned. I'm going to go through my specific concerns about this bill before us today.

Number one, it's a bill that is essentially about privatization. I'm going to talk about the problems with that.

Number two, it's a bill that doesn't include all of the things that needed to be included, as recommended by Justice O'Connor. I'm going to outline some of the things I'd like to see in it and certainly will be presenting amendments to the government.

**The Acting Speaker:** It now being 6 o'clock, the House stands adjourned until 6:45 tonight.

*The House adjourned at 1758.*

*Evening meeting reported in volume B.*

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## Legislative Assembly of Ontario

Third Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Troisième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Wednesday 2 October 2002

Mercredi 2 octobre 2002

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 2 October 2002

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 2 octobre 2002

*The House met at 1845.*

## ORDERS OF THE DAY

### MUNICIPAL STATUTE LAW AMENDMENT ACT, 2002

### LOI DE 2002 MODIFIANT DES LOIS EN CE QUI A TRAIT AUX MUNICIPALITÉS

Mr Hodgson moved second reading of the following bill:

Bill 177, An Act to amend the Municipal Act, 2001, the Municipal Elections Act, 1996 and other Acts consequential to or related to the enactment of the Municipal Act, 2001 and to revise the Territorial Division Act / Projet de loi 177, Loi modifiant la Loi de 2001 sur les municipalités, la Loi de 1996 sur les élections municipales et d'autres lois par suite de l'édiction de la Loi de 2001 sur les municipalités et révisant la Loi sur la division territoriale.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: I'm querying whether or not there's a quorum.

**The Acting Speaker (Mr Bert Johnson):** Is there a quorum present?

**Clerk at the Table (Mr Todd Decker):** Quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk at the Table:** Quorum is now present, Speaker.

**The Acting Speaker:** Mr Hodgson moves second reading of Bill 177. Under usual circumstances we would have leadoff time. We would start with the government and rotate, and it would be 60 minutes.

The Chair recognizes the Minister of Municipal Affairs and Housing, unless you need a couple of minutes to work some things out.

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** If I could have three minutes, we could sort some stuff out.

**The Acting Speaker:** That would be fine.

*The House recessed from 1850 to 1851.*

**Hon Mr Hodgson:** I think we have an agreement tonight that each party will speak for 15 minutes. This will count as a sessional day. We will then adjourn the debate and adjourn the House. On Monday night we will have another sessional day and debate on this bill, and then it will be sent to committee. Is that understood?

**The Acting Speaker:** Is there agreement? It is agreed.

**Hon Mr Hodgson:** We're allotted 15 minutes, and I may share my time with the member for Durham. If not, he and the member for Oxford will have to speak on Monday.

I'm very pleased to begin debate today on second reading of Bill 177, the Municipal Statute Law Amendment Act, 2002. As the members know, this bill does two important things: first, it completes the job we started last year when this Legislature passed the Municipal Act, 2001; second, it makes improvements to the municipal and school board election system.

The members will recall that last October 18 they were asked to consider a new Municipal Act. This was the first major overhaul of Ontario's legislation governing municipalities in more than 150 years.

Municipal governments play a vital role in our day-to-day lives. The legal framework they had to work with had its roots in the Baldwin Act of 1849. The municipal legislation spelled out exactly what municipalities were permitted to do. If they wanted to do something that wasn't specifically in the act, by legislation they could not do it.

Understandably, municipalities had for many years been asking for a comprehensive overhaul. In 1995, we promised to undertake that overhaul. In fact, I believe AMO was first established to do that overhaul. They asked the province of Ontario in 1897 to bring in a new Municipal Act for the new century. Fortunately for us, they didn't specify which century. So a promise made is a promise kept.

We promised a modern, streamlined Municipal Act. Last fall, we delivered on our promise. The Municipal Act, 2001, gives municipalities the tools they need to tackle the challenges of governing in the 21st century. When it takes effect on January 1, 2003, it will allow municipalities to organize and deliver their services as they see fit, involving the private sector where appropriate, in keeping with local needs.

We talked with municipalities and business stakeholders and we looked for the best ways to balance new flexibility for municipalities with strong accountability. I would like to take this opportunity to thank them for working with us on the new act, Bill 177, and all the associated regulations as well.

For the first time, the Municipal Act formally recognizes the importance of consultation between the province and municipalities on legislation and regulations that affect their budgets in-year. I said at the time that the new Municipal Act would be the cornerstone of a new, more

mature, more productive relationship between Ontario's municipalities and the provincial government.

The response to this legislation was immediate and consistently positive. The day it was introduced, the president of the Association of Municipalities of Ontario said it was a historic day for municipalities. Mississauga Mayor Hazel McCallion was quoted in the newspapers. She said that now municipalities have greater flexibility to make decisions regarding services directly relating to them with more latitude and self-determination than before.

It wasn't just municipalities that responded positively. The Ontario Chamber of Commerce also issued a news release which stated: "The new legislation also ensures that there will be greater transparency and public input when user fees are being contemplated. This is an important step to ensuring the accountability of municipalities when new user fees are being proposed."

The new Municipal Act, 2001, was passed last December 11. Eight days later, we signed a memorandum of understanding under the provincial-municipal consultation with the Association of Municipalities of Ontario. That agreement signalled a new era of co-operation. Since then, the Ministry of Municipal Affairs and Housing has been working with municipal associations to develop and deliver education and training programs to make sure that municipal council and staff are fully up to speed on the new act before it comes into effect. Those efforts have so far been very successful. Recently, the city of Toronto put forth a proposal for our government to establish a city charter designed especially to meet their needs.

The new Municipal Act responds directly to a number of the desires, including the request for new powers and responsibilities, by providing for natural person powers that offer the city greater flexibility in the way it operates. The act also responds to Toronto's request for clearly articulated spheres of jurisdiction by providing 10 spheres that reflect current municipal activities in which municipalities are empowered to act independently.

Toronto's request for new innovative business financing authorities is accommodated through the use of new financing tools and the Premier's announcement at AMO for the Ontario Municipal Economic Infrastructure Financing Authority. The new act responds to Toronto's request for recognition and consultation by recognizing all municipalities as responsible and accountable governments and through the consultations it's trying in a memorandum of understanding. Finally, we have demonstrated our commitment toward initiating dialogue and communicating directly with the federal government through our investment in transit funding and subsequently showing that the province and the city are able to work together effectively to deal with the federal government on matters of mutual interest.

There's nothing in this bill that would change the original intentions or directions of the Municipal Act. It is an implementation bill that clarifies and fine-tunes some parts of the Municipal Act, 2001, and amends other

legislation to bring it into line with the new provisions and terminology of the new act.

As I mentioned a few minutes ago, the other part of this proposed legislation is intended to improve Ontario's municipal and school board election system. Ontario's municipal election process underwent a major overhaul in 1996. At the time, the people who had to make the system work—the municipal clerks who run the elections and the candidates who run in them—felt that the system wasn't working as well as it should be. They said the process simply wasn't responsive to users. The process was inefficient and encouraged waste. For example, separate processes were required for registration and nomination of candidates. The system was very prescriptive and it was so detailed that in fact the province not only had to pass a regulation to permit vote-counting equipment, but specific models were also regulated. People still managed to get around the rules, though. The use of proxy forms, for example, led to doubts about the validity of some election results and brought the whole process into disrepute.

This government acted to clarify and simplify the Municipal Elections Act and other local election legislation. The goal was to modernize and streamline the law so that it could accommodate new ways of voting. We wanted to make sure the process was efficient and would guarantee electoral integrity, but be flexible enough to work in the changing world, and reflect local circumstances. To give you just one very telling example of the way the process was streamlined, the number of prescribed municipal election forms for the election of councillors and board members was reduced from 40 to just five.

We've been through two municipal elections since then, 1997 and 2000, and I'm pleased to report that the system is working very well. However, nothing is perfect, and clerks and candidates have had a good chance to see how the system works and they've noticed where it could be further fine-tuned. We've taken a good look at the system and we've consulted with the Association of Municipal Managers, Clerks and Treasurers of Ontario, the Association of Municipalities of Ontario and individual municipalities such as Toronto, the people who have to make the election process work. The result is a series of minor adjustments designed to make the system work even better. The main thrust of these adjustments is to make sure the process is accountable to the voters and more efficient for the clerks to administer.

For example, I mentioned earlier that in 1996 changes allowed for alternative methods of voting. We found over the last two elections that some of these alternative ways of voting require more preparation time. We therefore propose to extend the time between nomination day and election day from 31 to 45 days to give clerks the time they need. This is particularly around mail-in ballots. It takes time to mail out the ballots after the nomination period with the list of candidates. The person who's going to vote has to receive that ballot my mail and then return it. This extension will give adequate time to do that in an efficient manner.



**1900**

We also found that the sanctions for candidates who failed to file financial information, the required election financial statements following an election, were not very effective. We decided to toughen up the rules a bit. If this legislation is passed, sitting councillors who do not file the required financial statements by the deadline would be suspended without pay until they do file. If, after 91 days, they still haven't filed, they would be removed from office. During the period of suspension, the candidate would be able to apply to the courts for an extension to the filing deadline.

Those are just a couple of examples of the sorts of changes we are proposing to the municipal and school board election system. The next local government elections will be held in November 2003. The campaign period officially starts January 1, 2003, and potential candidates would be able to register any time after that date. Candidates should be able to know the rules that will apply to their campaigns before they file their nomination papers. Clerks need to know the rules before the campaign period starts, so timing is important for this legislation.

I encourage my colleagues, therefore, to support this important piece of legislation. By supporting the Municipal Act, 2001, it will contribute to the new, stronger and more constructive relationship between municipalities and the province. At the same time, it will improve the accountability and efficiency of the election process. I know there will be goodwill in the House because we all care about making sure this piece of legislation is passed for good government in Ontario.

**Mr Ernie Hardeman (Oxford):** Thank you for the opportunity to say a few words in support of Bill 177, the Municipal Statute Law Amendment Act. I want to refer more specifically to the one the minister was referring to just moments ago, schedule D of the act, which is the reform of the Municipal Elections Act.

As the minister said, the act was rewritten in 1996 and we've had a complete municipal and school board election under the new regime. In discussions with all the players in the process, a number of amendments needed to be made. This bill proposes to make those amendments.

One of the important amendments is the issue of filing the financial statements of municipal candidates. I think it's very important because the present Municipal Elections Act doesn't do a very good job of dealing with the consequences of inappropriate filing or lack of filing by candidates. It doesn't leave an opportunity to deal with the situation, to rectify the problem, while the individual is holding office. It seems to work very well for the people who were not elected who don't file, but for the people who were elected and for whatever reason missed their filing, the situation doesn't presently allow for remedial action to be taken. This new act will do that and I think it will be very beneficial to them.

I also think it's very important that the new Municipal Elections Act of 1996 provided many opportunities for

better and more appropriate ways of voting for a constituent. This was particularly true in the more remote ridings in rural and northern Ontario where not everyone could get to the polls expediently, particularly in cottage country where they didn't live year round and a lot of the time it was difficult to get there.

Different methods of voting were allowed in that act that were previously not allowed under the Municipal Act. Eighty-four municipalities in the last election tried alternative methods of voting: 70 of these 84 voted by mail; 13 allowed voting by telephone; one tried voting by touch screen. Referendums were held in 23 municipalities. The only reason those numbers are important is that after analyzing the results it became very important to look at what worked well and what didn't.

One of the areas that didn't work well—I had the opportunity to speak with a number of communities where they had time-share units, where everyone owned a unit for a week or two of the year. When the municipal clerks went to send out election notices, under the act they had to send them to every one of those time-share owners. In fact, if they all came out to vote, it was quite conceivable that the impact of that election could be greatly affected by one building. That didn't seem appropriate to the residents of that community, and at the time they asked to look at changing that so we would have a better way of monitoring the voting and at the same time not disenfranchise anyone who had the right to vote.

This bill deals with that. It will greatly improve the process and will help the administration of the process. I think it's very important that the clerks are able to administer it properly, because it's very difficult for them to make decisions at the time to say, "No, we're going to do it this way," when the law says they can't do it. They've told us what needs to be changed, and this is what we're doing.

The minister mentioned the 31 days going up to 45, because not sufficient time was allotted for the new methods of voting. It worked fine when you just told folks, "This is when you have to be at the polls and this is when you have to cast your ballot." But if you need a process in place where you have to mail out ballots and get ballots back, 31 days is not sufficient to do that. So I think it's another area where the new act will make the system work much smoother.

It deals with all the things the municipal clerks and treasurers told the government needed to be done in order to facilitate a more appropriate and a more expedient election. I'm very happy to support it and, as the minister did, I would like to ask everyone on both sides of the House to support the bill and get it in place in time for registration January 1 for the 2003 election.

Thank you very much for allowing me a few moments to speak to the bill.

**Mr David Caplan (Don Valley East):** I will be sharing the time I have tonight with the member for York West and the member for Elgin-Middlesex-London. I do appreciate the opportunity to speak on the bill on behalf of the residents of Don Valley East.

I just want to state up front that the official opposition will be supporting the bill. We think it should go to committee, that some work and some amendments may need to be introduced in order to strengthen the bill, but it is essentially housekeeping legislation. It was at the request of the municipal clerks and treasurers and the Association of Municipalities of Ontario. We certainly want to facilitate it so it's in place in order to govern the election cycle coming up in the year 2003 some time in November.

I'm sure that all members of the House are aware of the parts of the bill and the changes related to the municipal elections, changes such as suspending without pay elected councillors who do not file their returns by the required deadlines—if they have still not filed 90 days after, they would be removed from office; changes like raising the election expense limits from 50 cents to 70 cents per voter; and doubling the filing fees for mayors from \$100 to \$200. Candidates of course must file their nomination papers two weeks earlier, from the now required 31 to 45 days.

But what is not in the legislation is of greatest concern to me. I'm not sure why the government didn't take this opportunity, if they're going to amend the laws, to make sure that we have some real beef, some real muscle for our municipal election finance laws.

I would highlight this and indicate to the House that in May, earlier in this year, there were some serious allegations about a particular individual here in the city of Toronto—allegations, by the way, that the individual denies. I don't know the guilt or innocence, but they are serious allegations nonetheless surrounding a lawyer-lobbyist, a fellow by the name of Jeff Lyons. I'm not in the habit of quoting the *Toronto Sun*, but I would quote for you a portion of an article from that newspaper. It says:

"But the Municipal Elections Act says 'a contributor shall not contribute money that does not belong to the contributor.' This is a provincial offence with a maximum fine of \$5,000.

"Many on council have been treating this as a hot potato. Some didn't want to comment. Others argued, wrongly, it was"—a matter—"between Cross"—the employee—"and Lyons. Others said it was a provincial matter, or an elector would have to make a complaint.

"But while any elector can complain under the act, why should a private citizen have to go through such expense and stress on his own?"

Finally, our colleague in the Legislature, Michael Prue, the member for Beaches-East York, did file such a complaint with the OPP. They turned him down and said, "Go complain to the Toronto police." The Toronto police turned it down on the basis that the individual, Mr Lyons, was a former member of the police services board and there would be a conflict of interest.

1910

So this has been passed from one department and one individual to another. It is a weakness in the law and is something that should be shored up. Members of this

chamber would find it astonishing to hear that even with the changes in this act, Bill 177, there is no way to properly enforce the current laws that we have on paper.

Municipal politicians are concerned. Here's what Steve Parish, the mayor of Ajax, had to say just two weeks ago in a speech in Oakville: there is "no proper enforcement of the act. There is no institution or office charged with enforcing the act. It is up to an individual citizen to bring a complaint to the municipal council" in order to have the council order an audit. "If an audit is ordered and no infringement is found then the council has the power to order the complaining citizen to pay the cost of the audit. It is my understanding that this enforcement process has only been used once—unsuccessfully."

It is important to have accountability and transparency. This section of the current act should be beefed up. Municipal officials are crying out for real standards and real rules. Although the government felt the needed to amend the act, they did not take the time to make this one particular change. So I'm interested in hearing government members in committee talk about this and debate an amendment that would give it some real muscle.

You also have to wonder about the other section of the act, which deals with the Municipal Act itself. Once again, we're seeing a bill that fixes past mistakes. Back in December 2001, my colleague Ted McMeekin introduced a pile of amendments about that thick to the new Municipal Act. Each and every one, as I understand, was defeated by the government. Some of those appear here today in Bill 177.

So I would encourage the government to look before they leap, and at committee I'm going to make several very constructive suggestions to amend this bill.

Thank you, Speaker. I'm going to yield the floor to my colleague from York West now.

**Mr Mario Sergio (York West):** I wish to add a few comments here on Bill 177 following my colleague from Don Valley East.

It is indeed a bill that proposes some minor technical amendments; nevertheless, they are important in themselves. It purports to make a couple of changes in two areas. One of them is to the Municipal Elections Act, the boards of education acts, laws, as well as with respect to municipal governance as a whole.

This comes with the blessing of the municipal clerks, the Association of Municipalities of Ontario, and the treasurers as well.

We welcome these changes to the Municipal Act and the boards of education acts. But I would like to say to the government that all the changes that have been proposed must be adhered to, must have some enforceable power, must have the respect of the provincial government, and not that the province preserves those powers when it suits the province or uses the local municipalities and the boards of education as a scapegoat when it suits the province as well. If we want to be responsible, if we want to have a responsibility and an accountability, we have to give them that jurisdictional power and not give it to them solely for when it's comfortable and a



commodity for the provincial government. It has to be a real change so that when something does happen, it is enforceable, and enforceable by law.

This does not only apply to the local municipalities and the boards of education. I think this, above all, belongs to the provincial government's accountability. They first have to be responsible. If we claim that we are going to amend those acts on behalf of the local municipalities and the school boards and then we expect them to be responsible and accountable, I think the provincial government has a responsibility to show leadership and say, "We are accountable in the first place, so we want to hold you accountable as well." I think this is the aim of the changes in the two amendments to the act.

The laws are lax already the way they are. From the federal government to the provincial, to the municipal and boards of education, we welcome these changes but, as I said, unless they are enforced, we are going to create more red tape, and who wants more red tape? We already have a commission dealing with red tape. But this is an area where unless the province gets serious in making these amendments, with the full intent of enforcing them, they will become, again, red tape and ready to be removed.

When we deal in the House with matters that are of interest to the general public, we here cannot be seen to be making laws on behalf of the local municipalities or boards of education solely on how they affect those areas. We have to be responsible in this House as well. We have seen in the past that many of the laws that our own government has approved were broken the day after. We cannot show responsibility and accountability if this is the direction we go in those particular areas. Technical and menial they may be in nature, but they are extremely important because at the local level, at the board of education level, elections mean being accountable to the people of Ontario. We have one taxpayer and I think we are all responsible to that single taxpayer. Regardless if it's a trustee, a councillor, an alderman—still in some areas—or an MPP, we are all responsible.

We have no problem supporting this, but I would like to attach the importance—and I hope the government listens—that indeed these changes, these amendments, are not solely to be put on the books but to be enforced, if and when they are needed.

I can see that my five minutes are already up. Unfortunately, I cannot go on and touch on other areas of the bill and do them justice, so I will turn my time over to my good member here, Steve.

**Mr Steve Peters (Elgin-Middlesex-London):** I don't know how many of us within this Legislature walk into this chamber every day without taking notice of the portrait of Robert Baldwin outside the door. Robert Baldwin was the gentleman who was responsible for responsible government in this province, and he laid the foundation for municipal government in this province. I think we lose sight of the fact that, yes, things have changed since 1849 when those first amendments and the

first legislation were put in place, but at the same time, there are a lot of things that are still here today that were there then.

Local government is closest to the people. I think it's incumbent on every one of us here—those of us who have a municipal background and those who don't—that we do everything we can to keep local government close to the people, but open to the people and accessible to the people.

Yes, this is a piece of legislation that is housekeeping for the most part, but there are some things within this legislation that I think we do need to be wary of. One of them that troubles me is upping the ante as far as donations are concerned. We've seen what's happened in this province right now. We've seen what we've gone through with the \$3-million-man Premier and the dollars that were put behind him to elect him to that office. I think what we've got to do is ensure that we don't start pricing local government out of the reach of the average person. We're upping the cost for somebody to file their nomination papers. We're allowing greater contributions to be made. I think we need to ensure that those changes that are being made aren't going to change the way local government governs, because it is that government that's closest to the people.

I think, too, we need to be concerned about some of the things that are in this act when it comes to mail voting and telephone voting. I have some serious concerns that mail votes and telephone votes can be fraudulent. I know of cases where an individual voted with a telephone on numerous occasions in the last municipal election. They did it on behalf of other people. They were given that code. I have some concerns about that.

#### 1920

I have some concerns about the mail-in ballot. If we're going to try levelling the playing field—for a federal election and a provincial election, the only way you vote is you go and you mark that X. I think those same rules should apply to the municipal government, but that hasn't happened.

There are some things that are positive in this. One of the aspects that I'm really pleased to see is the amendments that are in here for tax reductions for heritage properties, because I think it's incumbent that we do everything we can to preserve the past for future generations, but that we also find ways that we can encourage developers to restore and preserve a heritage building. Recognizing the challenges they face in doing so, we need to find a way to help them. That, fortunately, is included in this.

But you don't go far enough in this act, Minister, when you look at disabled parking spaces. When it talks of the minimum fine of \$300, the fine should be \$3,000. Individuals who abuse a disabled parking spot should not get off with a \$300 fine. We should be going further there.

A positive, though, in the act is changes to the Forestry Act in allowing us to establish programs to

protect, manage and establish woodlands and encourage forestry. I think we need to recognize that we've chopped down a lot of trees—too many trees in this province. We need to find ways to encourage more trees to be planted. Hopefully, this is part of the initiative that's going to make that happen.

I think the initiative needs to be dealt with under the library situation, where the board chair can expel a person for improper conduct at a meeting. What is that definition of improper conduct?

There are some positives, but there are many things that need to be considered at committee, and I would urge this bill to go to committee for further discussion.

**The Acting Speaker:** Further debate?

**Mr Michael Prue (Beaches-East York):** I have the entire 15 minutes—as you can see, I am alone here—and I intend to use it.

This is a fairly good bill and I want to commend the minister for bringing it forward. There are things in this bill that are long overdue, and I would tell you that municipal clerks, treasurers and politicians at the municipal level in all of the 480 or so communities in Ontario would applaud what is happening.

There are, though, some things that I think require further debate, and everyone in the House would agree that this should go to committee for that further debate. If you will allow me, Mr Speaker, I just want to talk about those things that really need to be massaged a little and changed in the bill so that it will bring it quite properly into the best use for every one of Ontario's residents.

The first one is: there is a proposal here to change the municipal voting day from 30 days to 45 days. On balance, this may look very good, and I'm sure that it's going to help clerical staff in the various cities and towns and unincorporated areas around the province to get ready for election day. It is a huge undertaking for any clerk in any municipality to get the forms ready, to get the voting booths ready, to hire people for election day, to do all the things that are necessary in a free and democratic society to make sure that every citizen gets the right to vote. Perhaps it is difficult in 45 days to accomplish that, but I would remind the members opposite, and the members on this side too, that in Ontario we have a 28-day election period, and that is deemed to be sufficient and may be sufficient—

**Mr James J. Bradley (St Catharines):** No.

**Mr Prue:** Maybe not, but I'm just telling you, we have different standards for different levels of government. The federal government does not have a 45-day—I think it's around 35 days or 36—

**Interjection:** Thirty-seven.

**Mr Prue:** Thirty-seven days. It is 37 days from the time the Prime Minister says that it's time for the election, which is not set at a prescribed point like municipal elections; it could literally come tomorrow. We don't know, on this side of the House, when the Premier will call it. In Ottawa they don't know—anyone, even on his side of the House, doesn't know when the election will be called until he actually does it.

Those can be done very quickly and are done very quickly, sometimes to the complete astonishment of the Canadian and Ontarian public. Yet municipal ones are always on the second Thursday of November of each year.

What we are saying is that it's OK for Ontario to have a 28-day election period and it's OK for Canada to have a 37-day election period, but a municipal government that is having an election on the second Thursday of November every third year—and every person who is even remotely interested in politics knows that's going to happen—must have a 45-day election period. I ask everyone to think whether that makes sense. Quite frankly, it fails on many grounds. Yes, it helps the clerical staff inside the municipality to get the necessary volunteers and the necessary workers and put out the necessary forms and do the necessary advertisements, but a 45-day election period is not warranted municipally unless it is also warranted provincially and federally. That's something you have to ask yourself. Do not impose a standard on others that you are not willing to accept yourself.

If this House sees fit to accept a 45-day standard for the municipalities, please be willing to accept a 45-day standard for ourselves.

**Mr Garry J. Guzzo (Ottawa West-Nepean):** Make them resign if they're going to run provincially too.

**Mr Prue:** I'm going to get to that. That's another issue.

What causes a problem with the 45 days? One of them is the resignation of people who work in municipal governments. There are a great many people who work in the 480 or so municipal governments in this province who, as citizens of Canada and Ontario, have the calling—all of us in this House have that calling. We all had it, and maybe we'll have it in the next election too. You want to run, you want to contribute, you want to speak out. For those people who are municipal employees, the requirement is that you take a leave of absence without pay. At present, that leave of absence without pay is 30 days. That is four weeks plus for a person to say to their family, "There's going to be no money coming into our house because I would really like to run for municipal office." What we are saying now is that there is going to be a six-and-a-half-week period where there will be no money coming into that house for someone to exercise that right. Members in this House may not think that is a huge thing, but I want to tell you, from my own personal experience, that twice in my life I ran unsuccessfully for federal government, back in 1980 and 1984, surprise of all surprise for the New Democratic Party, and in Scarborough Centre—and I'm surprised not to see the member for Scarborough Centre here tonight.

**Mr Caplan:** You should have run as a Liberal.

**Mr Prue:** The Liberals won once and the Conservatives won once, but both times I increased the NDP vote, you'd be proud to know.

**Mr Caplan:** No doubt.



**Mr Prue:** OK. In those times I was a federal public employee. I worked for the federal government in the Department of Immigration, and both times I had to take a leave of absence for the election period.

The 1980 election period, you might remember, was the fall of the Joe Clark government in November or December of 1979 over the gas tax. From the day that I took the nomination, which was very shortly after that, I was without pay, and again in 1984 without pay. That is a really hard thing for a family to absorb. Luckily my wife was willing to accept the fact that I would not be contributing to the household budget or the apartment rent, as then we lived in an apartment, and we had no children, but it was a financial hardship nonetheless.

I do not believe it is fair for municipal employees or any employee having to take a leave of absence to do this. To stretch that time period from 30 days to 45—something needs to be done to address that issue. I'm not sure what it is. If it is to remain 45 days, there must be some mechanism so that people do not have to suffer financial hardship in order to seek elected office. It is the right and the privilege of every Canadian citizen to do so.

We have a second problem: many municipalities, and I suppose it's up to them and justifiably so, set standards of when signs can go up. In the city of Toronto, with which I'm the most familiar, there is a 21-day limitation period. This will not affect that, but in many and most municipalities, the effective day of signage is the day of the nomination period. So instead of signage on the roads and in the streets and on the highways and on every tree in Ontario for 30 days, you're going to have that signage for 45. It is pollution, because all of it ends up in the dump at the end. That's where all the signs go. You have to know it's the sign graveyard.

1930

**Mr Gilles Bisson (Timmins-James Bay):** I keep mine and recycle them.

**Mr Prue:** Yes, some are recycled. Thank you to those who recycle them. But the reality is that many of them end up in the dump and, quite frankly, it becomes very expensive. It takes municipal elections out of the realm of ordinary people, because you have to increase by another 50% the length of time that the signs are up, they constantly have to be replaced, and it will make it much more difficult for ordinary people. I ask the members opposite to consider this when it comes to the committee.

You have the problem of the saturation of media, which is from 30 days now to 45 days. You have the problem—and I think this is an ongoing problem—of people who are at the municipal level and want to run provincially, as I did, or federally. You do not have to resign your seat. I did not have to resign my seat, nor did Judy Sgro have to resign her seat immediately before me when she ran successfully for the federal Liberals, to go to Ottawa.

When you go the other way, there is also a problem. We saw it most recently in the case of John Nunziata, who was an independent member of Parliament, representing a west-end Toronto riding. He had to resign his

seat in order to place his name as a potential mayoralty candidate in Toronto. This is a huge problem, not because he shouldn't have to do that—I think he should in the end—but he had to do that from the day he was seeking the seat in order to raise funds.

How does a person know whether there is support? How can you gauge that support until you go out and try to collect funds? If this is to be done, I would suggest it only be done from the nomination day, whatever that is, rather than the registration date. It seems only fair that if you can go up and literally do anything you want, you should be able to come down from the senior levels of government to the municipal level—should you want to run for mayor or councillor, whether you decide that that's the appropriate move—without having to resign your seat until at least the time of the nomination period. This is not in here.

We have the whole problem of enforcement. I only have four minutes and I have so much to say. We have the recommendation of the arm's-length committee. Quite frankly, that is not going to work. The arm's-length committee and the municipal councils have failed in a number of cases in Ontario. We are proposing in our party an independent commissioner at the provincial level, with a staff. It may be an adjunct to the electoral commissioner in the province, that's fine, but there should be an independent person whom ordinary citizens can go to in order to seek redress.

We have the tale of two cities I'd like to tell you about, the tale of Mississauga and Toronto.

Mississauga had a person on their council who they believed contravened the election bylaws. They hired an auditor for \$100,000 to investigate, following a citizen's complaint. The auditor found that there were sufficient irregularities that required a court case. They then had to go outside and hire an independent lawyer. It has cost them \$100,000 in legal fees to date for the independent, non-city lawyer to prosecute the case. It is not over and there are likely to be appeals. For the whole three-year term of the councillor, who many believe may have contravened the Election Act—and I cast no aspersions—he will likely be there until the next election. The process takes too long and is too expensive. The people of Mississauga ought not to pay for someone who may have broken the law.

We also have the tale of Toronto, which dealt with it in a completely different way by burying their heads in the sand. My colleagues—and I was there—buried their heads in the sand when two councillors—and the allegations were substantial enough to warrant some kind of inquiry—contravened the election bylaw; one by putting out literature with the mayor's picture all over it throughout the ward without claiming it as an election expense; the other, by putting up signage and other things contrary to the Election Act before the date and without putting that in the election expense. It was not investigated because, as the mayor said, and he said it quite forthrightly, "I don't want to investigate any of you. I just don't even care whether this happens." That's what was said in private, in public. I don't care; I'm going to say it

here today. It was said, and it ought not to happen. Those investigations that citizens have made were substantive and needed to be investigated.

I thank my friend from Don Valley who talked about the Jeff Lyons case, because that needed to be investigated. The city of Toronto council refused to investigate a person they had formerly appointed to the police services board. They refused to investigate, even though there were allegations that were substantive, there were corroborating witnesses, and it was not happening. Even if you leave it to the municipality or to a committee of the municipality, it is not the right thing to do. I am suggesting we need someone who is independent, and it is most properly one person in Ontario for all 480 municipalities with a small staff who can investigate and adjudicate upon those complaints in a way that is not cost-prohibitive to either the municipalities or to the individuals who are bringing the complaint. That's where we need to go on that issue.

A couple of other things that are in here: I applaud the government for what I can only call the Maria Minna amendment. Maria Minna is my member of Parliament and she is a wonderful woman. We are not of the same party—she is a Liberal—but I want to tell everyone I think she is a wonderful woman who works very hard for

her constituents. She was caught in a bind because she lived in the south part of the riding and voted in the north part of the riding. As you know, in Toronto they're divided in half. This amendment will very clearly say that you can only vote where you live if there are two different parts and if there is a by-election. This clarifies a lacuna in the law into which she was drawn, and it is absolutely essential. I don't believe she was guilty and I have never said to a single soul that I thought she was wrong, but the lacuna was there and it was not clearly understood. This makes it very clear and it will solve that issue.

Last but not least—in my 18 seconds—we have set out many of these details in our urban vision. I invite people to look at them. There are many things that can be done to improve this within the framework of urban government in Canada, and I commend the minister for bringing this bill forward. I look forward to committee to improve it even more.

**The Acting Speaker:** In accordance with the agreement earlier tonight, I now do adjourn the House until 10 am tomorrow.

*The House adjourned at 1937.*



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Troisième session, 37<sup>e</sup> législature

## Official Report of Debates (Hansard)

Thursday 3 October 2002

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Jeudi 3 octobre 2002

Speaker  
Honourable Gary Carr

Clerk  
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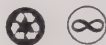
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 3 October 2002

*The House met at 1000.*

*Prayers.*

### PRIVATE MEMBERS' PUBLIC BUSINESS

#### TFO

**M<sup>me</sup> Claudette Boyer (Ottawa-Vanier):** Je propose que cette Assemblée législative soit d'avis que le gouvernement de l'Ontario considère / I move that, in the opinion of this House, the Ontario government consider:

That TFO is given real autonomy in its own direction and development through the creation of an equal-sized French-language section of the board of the Ontario Educational Communications Authority;

That this section of the board be given exclusive jurisdiction over French-language programs and French-language materials in the educational broadcasting and communications fields, as well as jurisdiction over the appropriate share of the financial means to ensure these services; and

That TFO obtain the necessary support from the government of Ontario to realize the full nature of this mandate.

**The Acting Speaker (Mr Michael A. Brown):** Madame Boyer has moved private member's notice of motion number 14. The member has up to 10 minutes to make a presentation.

**M<sup>me</sup> Boyer:** Reconnaissant que TFO, le service de la langue française de TVOntario, est un réseau provincial de télévision éducative de tout premier ordre, connu pour ses émissions primées ;

Whereas TFO is a crucial component for developing and promoting francophone training, education and culture in Ontario;

Reconnaissant que TFO n'est actuellement pas autonome mais qu'elle est subordonnée à TVO, de langue anglaise et plus imposante ;

We are only asking that this resolution be considered and that this government look into the matter.

We really think it merits attention. We strongly support TFO continuing to work in partnership with TVO. By the way, TFO is much appreciative of TVO for its assistance and partnership in its creation and development. TFO owes TVO an enormous debt of gratitude.

I want to stress that we are strongly against privatization, and this resolution is in no way an attempt or effort to privatize TFO. It would be wrong to characterize it as

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 3 octobre 2002

such in any way. We only feel that it's time to make TFO autonomous so that it can properly continue its path toward excellence. The francophone community knows that only through its autonomy will TFO fully realize its full potential.

De cette façon, la section de langue française aurait compétence exclusive pour gérer TFO et la section de langue anglaise aurait compétence exclusive pour gérer TVO.

Les dossiers communs relèveraient d'un conseil plénier.

Every day, we as francophones live in a minority situation. I guess it's something that is very difficult for the majority to understand.

Let me remind you that TFO is one of Ontario's institutions that pulls us francophones together. It is incredibly significant to us and to the health of our community.

If, through the years, francophones have learned anything, it is that we must have autonomy and real control over our institutions for them to be set free to create genuine value for us and aid us in our development.

TFO possède déjà une infrastructure, possède déjà des ressources et l'expérience pratique de l'exercice des fonctions de gestion propre à nos entreprises de télécommunication. Nous voulons le contrôle sur nos décisions, un usage plus efficace de nos ressources. Pour nous c'est une évolution normale. For us this is a normal process and, listen, it's not a first. On a quand même des précédents.

Remember, we experienced this with our schools. First of all we began as a part of English-language school boards, and then there was the creation of French and English sections within the boards, until this government and all parties of this House have seen fit to give to francophones the full governance of their schools. Let me remind you that the governance of our schools, by and for francophones, has brought many benefits to our communities and to this province.

Another great example are our community colleges and institutions, and look at the remarkable success of our French colleges: the agricultural college in Alfred, La Cité collégiale in Ottawa, and Collège Boréal in the north, and now in the south.

Who is a better advocate for the success of our French colleges than our minister of colleges and universities? I know that she is proud of our francophone colleges and I thank her for it.

Voilà c'est la même réalité que nous voulons pour TFO. Une TFO gouvernée par et pour la collectivité

franco-ontarienne ne coûtera pas plus cher au trésor public.

We are not asking for extra money. We're not asking for more money. We simply want the amount of money that is already allocated to TFO by the government through the existing budgets.

Avec cela TFO pourra, d'autre part, avec son initiative, générer des revenus au moyen de mesures novatrices et entrepreneuriales.

**1010**

Listen, we're not asking for an immediate change, because this is a very important issue for the francophone community in Ontario. It has a broad and non-partisan base of support. We want to explore it very seriously. It is important to look into it. We want you to consider it.

What the resolution proposes is not new. It has been discussed in various circles for a number of years now. It has been the subject of public consultation and, let me tell you, it has wide support in the francophone community as well as in many anglophone communities. I really believe this is the time, the right time, to introduce this to the Legislature so that it can be considered.

I could have brought in a bill, I had a bill ready to do this, but I think it needs a lot of thinking and research. That is why I'm bringing this resolution for this government to consider.

Depuis sa fondation en 1984, TFO a continuellement subi des contraintes budgétaires et structurelles. Ces problèmes ont pour effet de remettre constamment en question l'existence de TFO. C'est pour régler ces problèmes que l'on demande au gouvernement de tout mettre en oeuvre en vue d'assurer que TFO sera gouvernée par ses propres administrateurs, qu'elle gèrera ses propres finances et qu'elle administrera ses propres services.

We are asking for the support of this government. Nous demandons votre appui.

Je dois dire qu'avec l'évolution des temps, cet historique, on a évolué comme francophones. On est parti du bas en montant, en progressant et en étant des succès pour la province de l'Ontario. Nous sommes rendus à l'étape de notre gestion de TFO, notre télévision éducative, qui est connue non seulement à travers la francophonie ontarienne mais qui est connue à travers la francophonie canadienne et même au-delà. Laissez-nous, s'il vous plaît, voler de nos ailes.

We want to be our own government and work with TFO in all its respects.

**Mr Gerry Phillips (Scarborough-Agincourt):** I'm pleased to rise in support of my friend Madame Boyer's resolution. Frankly, it is a relatively modest proposal but one that I think is important, clearly, to our French-speaking community and to all of Ontario. I think she has framed the resolution in a way that should, I hope, get unanimous support of the House.

I think people in Ontario recognize, perhaps not everyone, that in this province we have hundreds of communities that are essentially all French. As members travel the province, they recognize that. I think perhaps

some people who don't travel the province don't appreciate that. That is something I'm very proud of and it's something I want to make sure is the case 10 years from now and 100 years from now. We're better for it. This is another small step forward, in my opinion.

We all have our own view of this country we live in. I've always compared it to a flower garden, where originally there was one flower, our First Nations people, our native people. We're one of those unique countries that have truly been built on immigration. Over the history of our country, we have been fortunate to attract the best and the brightest to come here.

When this country called Canada was established, it was established because of some far-thinking, far-reaching, generous people who figured out a way to have our French-speaking and English-speaking, Protestant and Catholic communities living and working together in harmony, along with our First Nations. It continues to be a work in progress.

I've always supported in Ontario our separate school systems because, in my opinion, part of the reason Canada came together was because there was an agreement here in Ontario that we would have a separate school system. It's also why I'm a strong supporter of French-language rights in this province.

If we look ahead to Canada continuing to be a country that is together, it will be as a result of many things, but one of the key things will be how French-speaking people are treated outside of Quebec and how English-speaking people are treated inside Quebec. So I'm pleased to lend my support to my friend Madame Boyer's resolution. It can only add to the strength of this province. I celebrate our French communities. As I said earlier, I hope in the centuries ahead that the people who come after us will have strong French communities in this province. But it does require some effort by us, ensuring that services are available in both languages.

I appreciate Madame Boyer's efforts in bringing this resolution forward. I want to lend my strong, personal support for it. We're blessed to live in what I think most people regard as probably the best country in the world to live in. But it doesn't continue to be that way without nurturing and caring, and one of the most sensitive areas is our language, the preservation of our English and French languages. As Madame Boyer points out in this resolution, in terms of language, education and culture, is a modest but progressive step forward and one that I'm sure can be accommodated reasonably. I'm pleased to support Madame Boyer's resolution.

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** It's my pleasure this morning to thank my friend and colleague from Ottawa-Vanier, Madame Boyer, for bringing this forward. I'm very pleased to speak to the honourable member's resolution. I'm also pleased that she mentioned French-language school boards, and our French colleges, because we're very proud in Ontario about the gains we've made and the leadership that we've tried to show over the years in this



great province with regard to our respect and our intentions to support in anyway we can our Franco-Ontarians.

As Madame Boyer stated, she is interested in services that we can provide to all Canadians, but she especially mentioned francophones in all of Canada, and I appreciate that. I think that's what we're talking about today. We're talking about a program that will meet the needs of the future and far beyond, something that serves our young people and families, and that is TFO. We're very proud, because there are many good things that we would like to celebrate with regard to this great institution.

We're very pleased because of the significant role that TFO takes in the promotion in the Franco-Ontarian culture and in providing a forum for French-speaking Ontarians to talk to each other, to the rest of Canada and to the world. We know here in Ontario that we are proud of Panorama. English-speaking and French-speaking and all cultures are interested in arguments in our other language, as Canadians, and it is well appreciated.

1020

This year actually marks the 15th anniversary of TFO. Since 1987 it has provided Franco-Ontarians and French-language school boards with quality educational programs and services. Having been elected many years ago, in 1973 in London, Ontario, where a lot of this work started with great support from the government of the day and from the Franco-Ontarian community, which is very strong, we have made gains. I have watched many improvements, but this one is the best.

TFO is not a division of the Ontario Educational Communications Authority. Both TVO and TFO operate different networks, under different licences, under different conditions from the CRTC. This is about how it works and whether it can work better. The English network exercises no editorial influence over French, and vice versa. This has evolved over time—I might say, with enthusiasm to get it right.

You only need to turn on your television to see this for yourself. There aren't very many of us who are not familiar with our very young children who love to watch cartoons and love to watch educational programs. The strength of TVOntario and TFO is that parents trust the programming. We have our children, our Franco-Ontarians and our Anglo-Ontarians, all watching TFO, certainly in our French-language schools, but just as much in schools where there are programs to introduce, as far as possible, all of our students to our second language.

Many of us, including myself, are somewhat disappointed that we are not better in our second language. Perhaps it's because of the system, but often it is because of our talents and our lack of opportunities to spend as much time with each other as we would like. I am also pleased, not only for our young children, especially pre-schoolers, with the contributions that the wonderful programming has made in that regard. My own grandchildren are recipients of this wonderful programming.

I am also pleased about the ongoing dialogue between the Franco-Ontarian community and my ministry about

the future of TFO. It is ongoing. We are always particularly interested in seeking out new ways to do things better, not just in our school boards but, for me in particular, in our college system. The leadership of our colleges in this regard, especially our Franco-Ontarian colleges, or as we call them our French colleges, is second to none. We know how much difference it has made for the availability of appropriate programming and the future dreams and ambitions of young people who want to proceed in their own language, but others who would like to be totally bilingual, providing a wonderful job.

I just want to assure my colleague, because I think that she has come at this at a time when she probably would have appreciated to have much more time for dialogue with all of us in this House, that we are open for new ideas and better ways of doing things.

The current wording does give us some concern about the effects this resolution would have on TFO. I obviously will be speaking further with my colleague with regard to this. It is very interesting, as we seek creation of a separate organization at this time, because creating this separate hierarchy—administration, services—to support TFO could result in duplication and sometimes a loss of revenue that would otherwise be directed to education and cultural programming.

It is a fact, even within my own ministry, as I take a look at working with other ministries on the administrative level, certainly now more than ever as we try to share technical opportunities, it's very difficult to say that you can put the same amount of money in programming.

Our school boards are sharing in many ways, our separate school boards, our French school boards and our public school boards, to keep the cost of administration down so more money can go into the classroom. It would be, I think, foolish to think that we haven't had that kind of attitude about the way we operate our TVO. So it does in fact make a difference.

The control over content and programming exists within TFO today. I have been reassured about this over and over again. That was the reason we set up the structure the way we have. While TVO and TFO work well together, it is TFO, with the support of their advisory board, that is making the key decisions that matter for Franco-Ontarians. That is the purpose of the structure that we have.

In addition, this resolution risks splintering an organization that is recognized for the quality of its programming in both languages. It will weaken an organization that serves all Ontarians, and I believe that strongly. When we work together and we focus on what I've already spoken about, that is, who is in charge of decisions that matter, we know that TFO is in charge of decisions that matter.

Their markets, which we're very proud of, are across the country in New Brunswick, Manitoba—in fact, around the world. As my honourable colleague mentioned in the beginning of her speech, this is about reaching francophones in Ontario, in Canada—in fact,

around the world. The products are sought after. If our vision is realized together, our products will be sought after around the world. But here in Ontario, these products are also in French, which makes us so very proud.

Everyone benefits, but we have to focus on our viewers, and you know, as we return to our educational roots for TVO, our viewers, our focus is very much on education and schoolchildren—colleges, universities, educational programs—and we want to work together. In fact, I just heard about Collège Alfred working with TFO in bringing forward some sitcoms—I think there might be 13; I've just heard about this—some rural stories talking about the history of the French and Franco-Ontarians right here in Ontario. That's why, as a government, it's set up that way, so they make the decisions for their constituents.

As an organization, TFO has achieved many important things. It has established a strong relationship with French-speaking educators across Ontario. TFO produces a range of educational programs and services to support French-language education, such as Web sites, pedagogical sites, programming and other supports. TFO offers training to teachers in class and in education facilities. Most recently, in partnership with the 12 French-language school boards, TFO has implemented SOS Devoirs to promote on-line homework help to students across Ontario.

Managing director Claudette Paquin deserves support for the leadership she is bringing to TFO. She's a great leader and she has a great team. She's well known, and so are they. An extended line of new media services and outreach to teachers and community organizations is ensuring the broadcaster is serving the lifelong learning needs of French-speaking Ontarians of all ages.

You need only visit TFO's new Web site to see the energy and commitment that the broadcaster brings to giving French-speaking Ontarians a forum to learn and to communicate in French. In response to OECA's most recent licence renewal application, the Canadian Radio and Television Commission said it "commends the licensee on the high quality of programming offered by TVO and TFO...and that the licensee intends to continue to build on its traditional strengths and to emphasize continuing learning throughout its schedule."

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Let's sit down and talk with the French-speaking community about improvements that we can make. In the meantime, I think we can assure them that the authority and TFO are taking effective action to serve the needs of French-speaking Ontarians and provide high-quality educational and cultural content to their services. Their francophone advisory council provides us with sound advice, and I'm advised that one third of the authority's broadcast budget goes to TFO programming, with the savings that result from shared resources.

Our priority is to ensure that all Ontarians have opportunities to access high-quality, relevant learning programs whenever and wherever they are needed. I once

again want to thank my colleague and to assure her that we will work with her to make TFO even better for Franco-Ontarians than it is now.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** It is with pleasure and pride that I am taking this opportunity to speak on Mrs Boyer's resolution. The member for Ottawa-Vanier's resolution is that TFO be given real autonomy in its own direction and development through the creation of an equal-sized French-language section of the board of educational authority.

C'est toujours un plaisir et un honneur pour moi de participer à des débats qui portent sur les services en français en Ontario. Ce matin la résolution de ma collègue porte sur la gestion de TFO.

TFO est un réseau provincial de télévision éducative qui dessert les communautés francophones de notre province. Cette résolution accorderait que les émissions de langue française et les ressources de langue française dans le domaine de la diffusion et de la communication en matière d'éducation, de même que l'administration de la juste part des ressources financières, permettent d'assurer ces services, et qu'elles relèvent de la compétence exclusive de cette section du conseil de l'Office de la télécommunication éducative de l'Ontario.

The French language has been present in Ontario for over 350 years. The first French speakers to come to Ontario were the missionaries who established the mission of Sainte-Marie-Among-the-Hurons in 1639.

La communauté francophone de l'Ontario compose la communauté francophone la plus nombreuse au Canada après celle du Québec. La population française de l'Ontario équivaut à la population entière de la province de Terre-Neuve. Le français est l'une des langues officielles du Canada. En Ontario, il jouit du statut de langue officielle devant les tribunaux, dans l'éducation et à l'Assemblée législative.

Dans notre région, le français remonte surtout à la vaste vague d'immigration canadienne-française du 19<sup>e</sup> siècle. Aujourd'hui, il y a plus de 540 000 personnes qui ont le français comme langue maternelle, et plus de 1,2 million d'Ontariens peuvent parler cette langue de notre belle province qui est le français.

For nearly 40 years, the province of Ontario has recognized the importance of serving its citizens in French upon request. It was when the present section 5 of the French Language Services Act, an act also known as Bill 8, came into effect in November 1989 that the province recognized its citizens were entitled to those services upon request.

Très peu de gens savent que sur notre globe, sur la planète, il y a plus de 500 millions de personnes qui parlent le français. Quelque 500 millions de personnes sur le globe terrestre parlent le français et, dans 67 pays sur ce globe terrestre, sur cette planète, ont le français comme langue de travail.

Depuis l'adoption de la Loi 8 sur les services en français de 1986, de la mise sur pied des conseils scolaires de langue française, de la mise en place d'institutions collégiales et universitaires de langue



française, les réseaux francophones travaillent de concert à contrer l'assimilation en Ontario et figurent parmi leurs priorités de voir aux coûts et aux besoins croissants pour une clientèle étudiante francophone à la baisse.

Des 72 conseils scolaires en Ontario, on retrouve 12 conseils scolaires francophones. Or, le nombre de petites écoles françaises et l'étendue des territoires que couvrent les conseils scolaires devient problématique quant au financement et elles devraient être reconnues uniques. Il y a besoin de financement accru afin d'égaliser les chances de réussite entre les jeunes anglophones et les jeunes francophones.

Il faut dire que nous faisons du rattrapage depuis nombre d'années, et ce rattrapage-là va durer encore de nombreuses années à venir. Depuis sa création en 1987, TFO est indispensable et est le principal pourvoyeur d'appui à l'enseignement en français. TFO est la seule télévision qui diffuse pleinement à partir de l'Ontario des émissions en français qui s'adressent spécifiquement à la collectivité francophone. Elle sert de lien vital entre les francophones de l'Ontario et offre un outil indispensable pour les agences et groupes francophones quant à la promotion de leur culture.

J'ai ici une coupure du journal le *Voyageur* de Sudbury qui nous confirme : « Le document contient des statistiques révélatrices. Par exemple, la superficie moyenne d'un conseil scolaire francophone est de 33 742 kilomètres carrés, comparativement à 6 630 kilomètres carrés pour un conseil anglophone. » Cela démontre encore pourquoi nous voulons que la gestion de TFO soit donnée à des francophones afin de pouvoir desservir d'avantage ces francophones qui doivent parcourir de longues distances pour aller à l'école, et aussi, rendus à la maison, qu'ils pourront poursuivre leurs programmes éducatifs à la télévision. TFO travaille de concert avec la communauté francophone afin de protéger nos acquis et d'améliorer la qualité de vie de chacun et chacune.

C'est une question de survie pour nous de parler français le plus possible. Nous devons être fiers de parler notre langue. Pendant des siècles, le français a été la langue la plus importante dans le monde. Monsieur le Président, saviez-vous que le français a été la langue officielle de l'Angleterre pendant des siècles ? La langue officielle de l'Angleterre pendant des siècles. De ce fait, la plupart des mots de l'anglais moderne sont d'origine française. En tant que représentants, il nous incombe de veiller à ce que tous les francophones partagent les mêmes droits, libertés et devoirs que le reste de la province. Il s'agit d'une responsabilité qui incombe à tous les ordres du gouvernement à toutes les régions, à tous les organismes et à tous les particuliers de la provinces.

Il est vrai que notre passé et nos racines sont des composantes importantes de notre patrimoine, mais nous avons la responsabilité de bâtir un héritage pour la prochaine génération. Il est essentiel.

Essentiellement, les besoins de TFO se résument à celui d'être autonome dans sa gouvernance et sa gestion. Cette autonomie permettra à TFO de se rendre à la

demande de son marché, à le faire dans le cadre d'une gestion efficace et avec une approche novatrice et entrepreneuriale.

Outre ces besoins de part et d'autre, une TFO autonome et entrepreneuriale pourra tirer des profits de nombreuses possibilités à exploiter. Ces occasions gravitent entre les économies d'échelle et la pénétration de marchés en demande de produits éducationnels en français.

C'est pourquoi moi, Jean-Marc Lalonde, député de Glengarry-Prescott-Russell, une région qui compte au-delà de 68 % de sa population francophone, j'appuie sans réserve la résolution de la députée d'Ottawa-Vanier, M<sup>me</sup> Claudette Boyer.

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**Mr Garfield Dunlop (Simcoe North):** Mr Speaker, thank you very much for allowing me to say a few words this morning. I don't really have a lot of time left; Minister Cunningham made most of the points. I did want to, however, thank the member from Ottawa-Vanier for bringing forth this resolution, and both herself and Mr Lalonde for their strong interest in our French-Canadian language and culture that makes up such an important part of not only Ontario, but all of our country.

I wanted to specifically talk just for a moment about my part of the province, the riding of Simcoe North, which has a very strong and large French-speaking community. The town of Penetanguishene and the hamlets of Lafontaine and Perkinsfield have a very strong French-Canadian culture and heritage that the community is very proud of. I can only say that on a number of occasions I visited particularly the hamlets of Lafontaine and Perkinsfield this past year, and I want to just point out some of the strengths or some of the enhancements that the province of Ontario has given to the community of Lafontaine. They started their first ever Festival du Loup, which is the Festival of the Wolf. It's bringing back the strong tradition and heritage of that community, and our government was pleased to provide them with a start-up grant of \$17,000 through the Ontario Trillium Foundation toward the start-up of that function.

I want to say that I'm pleased to be here this morning. I wish I could have spoken a little longer on this particular bill, but the minister took a little longer than I had expected.

**M. Gilles Bisson (Timmins-Baie James):** Comme porte-parole et responsable des affaires francophones pour le Nouveau parti démocratique, c'est avec plaisir que je suis ici aujourd'hui de la part de notre caucus pour appuyer la motion de M<sup>me</sup> Boyer.

Comme M<sup>me</sup> Boyer, nous croyons qu'il est finalement temps que l'on dise à TFO, « Il est temps que vous preniez l'indépendance dont vous avez besoin pour être capable d'épanouir et de faire ce qui est nécessaire pour vraiment prendre la prochaine étape sur le développement de la télévision éducative ici dans la province de l'Ontario. Nous, le Nouveau parti démocratique, supportons cette proposition. Justement, c'est l'une des positions qu'on prend dans notre plate-forme électorale

qu'on va dévoiler dans les prochains mois envers le dossier des affaires francophones. On croit, comme d'autres le croient, qu'il est temps que TFO fasse une séparation avec TVO pour être capable de faire finalement leur vision eux-mêmes selon les besoins de la communauté francophone.

Ce n'est pas dire que TVO a quelque chose d'amer ou de la rancune envers les francophones, envers TFO. C'est justement le contraire. On croit que TVO a fait une collaboration assez excellente avec TFO. Il n'y a pas de chicanes entre les deux parties de la télévision publique de la province. Franchement, TVO fait un excellent job sur leur réseau anglais et une bonne collaboration avec les francophones.

La position que nous prenons, c'est que c'est juste une partie de la transition. Quand on a commencé avec TVO en 1973, on ne savait pas encore qu'une bonne journée on développerait une chaîne française. C'est arrivé. On a développé la chaîne française. On a développé un réseau francophone pour la communauté : beaucoup de bons programmes, beaucoup de programmes éducatifs pour la communauté, des programmes d'actualité tels que Panorama et autres qui sont très importants dans la communauté francophone.

Là, c'est la prochaine partie de l'évolution. Nous voulons appuyer cette motion de notre collègue M<sup>me</sup> Boyer. On pense que c'est vraiment une très bonne idée.

Je veux dire aux anglophones qui nous regardent pourquoi il est important pour nous, les francophones, d'avoir cette institution. Premièrement, pour être capable de vivre en français en Ontario tu as besoin de tes institutions. On ne peut pas, comme francophone, vivre dans un milieu où on n'a pas nos écoles, où on n'a pas nos collèges et où on n'a pas notre radio et notre télévision, nos journaux, les institutions importantes chaque jour que l'on fait notre vie quotidienne pour pouvoir vivre en français dans notre province. Ces institutions-là sont importantes.

C'est pour cette raison que dans le passé les gouvernements libéral, conservateur et NDP ont mis en place des institutions qui sont importantes pour la communauté, pour l'assurer qu'elle pourra survivre en français ici en Ontario. C'est pour cette raison que je crois que le gouvernement conservateur, depuis la décision Mahé à la Cour suprême du Canada, a finalement créé les conseils scolaires francophones ici en Ontario, et ils reconnaissent qu'il est important que l'on a nos institutions francophones pour être capables de nous épanouir en français en Ontario. C'est pour cette raison que nous, le Nouveau parti démocratique, avons créé le Collège Boréal et le Collège des Grands Lacs et d'autres institutions comme des garderies francophones, des centres de santé communautaires et j'en passe. On croit que, comme parti démocratique, si la communauté va survivre, si la communauté va être capable de s'épanouir, il est très important d'avoir ces institutions.

Ce dossier de TFO est justement parti de toute cette évolution. On sait qu'il n'est pas toujours facile de vivre dans l'environnement de l'Amérique du Nord sans avoir

des influences anglophones autour de nous. Quand on demeure en Ontario, il est même plus important pour nous d'avoir ces institutions que pour les Québécois, qui restent dans un environnement totalement francophone. Si comme francophone je demeure dans la ville de Québec, loin de Montréal, il est très facile d'aller au coin de la rue pour parler français avec mes amis et mes copains. Mais quand on demeure en Ontario, c'est parfois avec la famille et notre petit groupe d'amis que l'on a la chance de parler le français.

Si on va être capable de garder notre langue et épanouir dans notre communauté, on a besoin de ces institutions. Moi, je suis fier que, comme francophone de la province de l'Ontario—je suis né ici, je suis du nord de l'Ontario et je m'affiche comme Franco-Ontarien—ces institutions-là sont là. J'ai bénéficié d'être allé à une école française, j'étais à l'école secondaire Thériault, et j'étais à l'école au Conseil scolaire séparé catholique de Timmins dans le temps. C'était un plus grand conseil qui avait des écoles francophones. Je n'ai pas bénéficié d'un collège francophone parce que dans le temps il n'y en avait pas. C'était seulement des collèges anglophones. Mais là je suis fier de dire que mes enfants jouissent de l'opportunité qu'ils ont. Justement Natalie, notre plus jeune des filles, qui va au Collège universitaire de Hearst à Timmins, fait son post-secondaire, trois ans universitaires, en français, et nous comme parents sommes très fiers. Nous disons que ces institutions sont très importantes pour assurer la survie de la communauté francophone. Justement, c'est sur ce point que l'on croit que c'est important de faire cette évolution à TFO.

L'autre affaire, très brièvement : la ministre a parlé de l'importance des programmes d'immersion dans les écoles francophones, et je suis complètement d'accord avec elle. Les écoles à travers la province qui le font depuis une vingtaine d'années, à Welland, à Timmins, à Toronto, et il y en a trois dans le comté de M. Kormos, justement—non, je n'ai pas compris « dans trois »; excuse-moi. Il veut avoir trois minutes. Do you want three minutes, Peter? Là, j'ai compris. OK. Parfois les signes que l'on fait dans l'Assemblée ne se comprennent pas très bien.

Les programmes d'immersion sont très importants. Justement, dans les communautés à travers la province je suis toujours—je fais la remarque—dans vos écoles anglophones, et francophones aussi, et beaucoup d'enfants viennent d'une famille anglophone pour apprendre le français à l'école et ils parlent bien le français. Ils le comprennent, le parlent, l'écrivent et le lisent, et cela est très important, je pense, non seulement pour la communauté francophone mais pour nous, pour le Canada.

Le seul commentaire que je veux faire contre la ministre : votre formule de financement met en danger ces programmes. Là on commence à voir—et je pense que mes collègues francophones vont réagir à cela—parce que les conseils scolaires à travers la province, avec la formule de financement, n'en ont pas assez, qu'ils ont besoin de faire des choix et ils sont en train de fermer



des programmes d'immersion dans des communautés à travers la province. Ça ne dessert pas les élèves et je pense que ça ne dessert pas notre communauté et certainement pas notre pays.

Je dis au gouvernement que vous avez besoin de revoir votre formule de financement. Franchement, c'est quelque chose qui est très épeurant. C'est pour cette raison que nous, le Nouveau parti démocratique, prenons la position que la province de l'Ontario doit être affichée officiellement bilingue. On est le seul parti à le dire. C'est quelque chose qui a besoin d'arriver. Je suis plus convaincu que jamais parce que j'ai vécu l'expérience d'être au gouvernement où on ne l'a pas fait, et là on voit que que l'approche de M. Rae était de mettre en place tous les services, et quand les services étaient en place, là on s'afficherait bilingue.

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Le problème avec cela est qu'il il y a eu un gouvernement qui est arrivé, le gouvernement conservateur, qui a fermé la plupart de ces institutions, et là on n'a pas la protection autrement que la Charte des droits en certaines instances, comme à l'hôpital Montfort, pour être capable de protéger nos institutions francophones.

Moi, je crois à cette heure, comme notre caucus, et c'est pour ça qu'on prend la position officiellement et que ça fait partie de notre plate-forme électorale, qu'on doit afficher la province officiellement bilingue. Pourquoi ? C'est pour assurer le succès des programmes et des institutions francophones dans la province, pour assurer qu'il n'y ait pas un gouvernement anti-francophone d'élu qui arrive et qui essaie d'ôter les institutions.

Moi, quand il y a du monde qui arrive qui dit, « Ça coûte de l'argent, le bilinguisme, blah, blah, blah », je remarque toujours, « Écoute, si on s'en va en Europe, si on s'en va en Italie, si on s'en va en Suède, si on s'en va en France, n'importe où en Europe le monde parle plus que deux langues. Dans beaucoup d'instances ils parlent trois, quatre ou cinq langues. Pourquoi ? Parce qu'ils réalisent que c'est un atout. C'est un atout non seulement social mais économique. Si on veut faire l'échange avec des pays comme la France, comme l'Angleterre, comme l'Italie, comme l'Espagne et autres, il faut être capable de parler ces langues. » Moi, je dis qu'on doit avoir une politique en Ontario qui favorise le bilinguisme, mais on doit aussi regarder aux autres langues et dire, « Y a-t-il des manières dont le gouvernement ontarien peut supporter les autres communautés : les Italiens, les Espagnols et autres ? » Parce que ces langues-là sont aussi importantes pour nous, l'Ontario.

C'est peut-être difficile de dire qu'on veut être officiellement bilingue dans 15 langues. Je ne pense pas qu'on soit préparé à faire ça à ce point-ci. Mais je pense qu'on a besoin de prendre l'autre pas et de nous assurer qu'on a des programmes pour assurer la survie des langues à la deuxième génération ici au Canada et en Ontario quand ça vient aux autres communautés.

Je regarde chez nous la communauté italienne, qui est très forte, mais quand je regarde la deuxième et certainement la troisième génération des Canadiens qui viennent

d'Italie, ils ne parlent quasiment pas leur langue. Franchement, c'est triste. On doit être capable de promouvoir sa langue. Ça veut dire que oui, on a besoin de mettre en place certaines institutions pour assister ces communautés aussi, de s'assurer que les clubs communautaires dans la communauté italienne, slave et autres sont financés adéquatement afin de pouvoir promouvoir leur langue et leur culture.

Même dans nos institutions, quoi de mal en prenant notre système scolaire et en promouvant les langues dans notre système scolaire, francophone ou anglophone et dire, « Pourquoi les jeunes francophones dans une communauté où il y a beaucoup d'Italiens ne prennent pas un troisième langage, pour apprendre l'italien ou le cri ou n'importe quelle langue qui est là ? » Moi, je favorise une politique qui dit qu'on reconnaît que l'Ontario est une province qui jouit d'avoir beaucoup de différentes personnes d'autour du monde et qu'elle est capable de promouvoir ces différences d'une manière très positive. Je favorise une telle politique.

I've got four minutes left, and I want to do something, and most people probably are going to wonder why I'm doing it. I just feel I have to do it. I know I'm going to have problems with a few people but I'm going to do this in only one minute.

This is in regard to Mr Cam Jackson. I don't want to comment on what happened with Cam and why he had to resign; that is another issue. I just want to say that Cam, as Minister of Tourism, was excellent to deal with as a minister. I'm sad to see him go. These are consequences that I'm sure not many of us are proud of here in the Legislature. It's not the kind of thing we want to see. But I've had the opportunity to work with Cam on a number of projects in regard to SuperBuild. There were a number of projects that were dead, going nowhere, especially in the First Nations communities up north in my riding. I came with the leaders of those projects to meet with Cam and people on his staff. They were most excellent in working with us to revive those projects.

From the communities of Moosonee to Kashechewan that are going to basically benefit from these projects that were revived and that were approved because of Cam's work and the work of his staff, I just want to say that we reach out to him today. This must be a very difficult time for him. I don't think anybody wants to be in the position he is in. On behalf of the communities that I represent that did benefit from the time that Cam was in cabinet, I just want to wish him well and hope that he's able to get past this and clear up this matter so he can get back to doing what he loves best, and that is working on behalf of the people of Ontario. So to Cam and his family, my heart goes out to you. The people of Moosonee and Moose Factory and others who benefited want to thank you for the work you've done for us.

**Mr Peter Kormos (Niagara Centre):** My gratitude to my colleague Gilles Bisson, who is the NDP critic for francophone affairs. This House has not seen a stronger and more enthusiastic and aggressive advocate for francophone interests, and I'm very proud to work with

him. I feel very compelled to join in this debate, albeit briefly. Down where I come from, the communities I represent—as you well know, Speaker, Welland has an historic and strong francophone community. Some 18% of our population is francophone. The francophone community extends down into Port Colborne and is paralleled only by Windsor and the north in terms of the French-speaking, historical presence.

We are also very proud that over the course of a few generations we have built a strong French-language education system from preschool all the way through—until the government abandoned the community college, Collège des Grands Lacs on Welland's campus—to post-secondary. I'm also very proud of the families across the riding of Niagara Centre, francophone and non-francophone, who, with their strong commitment to not just bilingualism but multilingualism, have ensured that their children—notwithstanding that their first language may not be French—have been enrolled in French-language education in the pursuit of that bilingualism and multilingualism. But one of the recurrent concerns, whether when it's when I attend one of these schools, be it Confédération or Sacré-Coeur or any other number of elementary or secondary schools, is that the minute these children leave the classroom they lapse into English on the playground or on their way home. Similarly, one of the frustrations of parents is the lack of resources that reinforce the French-language education that they are investing in for their children.

This proposal is one that I join my NDP colleagues and others in this House in enthusiastically endorsing. It's imperative that if we pay more than lip service to multiculturalism and multilingualism—and multilingualism is an inherent part of multiculturalism—that we have those institutions, those cultural institutions, those purveyors of popular culture—television; Marshall McLuhan spoke of it many decades ago, the incredibly powerful medium that it is—that there be those resources available to young and old so that they can not only educate themselves in the French language but participate in their community and in their cultural life, provincially and nationally, in the French language as well.

This is a sound proposition. New Democrats endorse it. I'm proud to be amongst those supporting it.

**The Acting Speaker:** Response?

**Mrs Boyer:** First of all I want to give a warm thank-you to my colleagues from Scarborough-Agincourt, Gerry Phillips; Glengary-Prescott-Russell, Jean-Marc Lalonde; London North Centre, our minister, Dianne Cunningham; Simcoe North, Garfield Dunlop; Timmins-James Bay, Gilles Bisson; and Niagara Centre, Peter Kormos.

I want to assure the Minister of Colleges and Universities that TFO and TVO will continue to work well together. TFO will continue to work in partnership with TVO. Let us be clear: we do not want to separate from TVO. TFO wants to remain a public broadcaster, but remember, on this board of directors there are only three francophones to give the ideas of what they want to do.

Il n'y a que trois francophones sur le conseil d'administration. Ce n'est pas assez pour gérer TFO. Nous avons besoin de notre autonomie. On se doit d'évoluer et d'avancer. On l'a faite, notre période de transition, comme M. Bisson a bien dit. Il est temps d'agir.

Let me tell you again: we don't want new money; only the money that is already allocated to TFO through existing budgets. Ceci est très important et nous voulons l'explorer.

Please note that this resolution asks only that the government consider the idea. We're not committing the government to act now but to consider in every detail que oui, TFO peut devenir autonome et bien gérer sa boîte éducative. What is so difficult about that?

Let us be clear again that it's time for the francophones of this province to have autonomy.

**The Acting Speaker:** This completes the time allocated for debate. I will place the question regarding this matter at 12 noon.

1100

## ROAD SAFETY

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I move that, in the opinion of this House, the Ministry of Transportation should examine the relationship between driver fatigue and road safety on Ontario highways; and

That the ministry will be given up to six months to study and report back to the Legislature with recommendations respecting improved road safety on Ontario highways resulting from the design of a fatigue-fighting infrastructure plan for Ontario, which will address the following needs: a shorter distance between rest stops; more truck parking at rest stops; more restful rest stops; better signage of and access to current rest stops attached to service centres; and public education designed to drive traffic to the new rest stops.

**The Acting Speaker (Mr Michael A. Brown):** Mr Tascona has moved private member's notice of motion number 13. The member has up to 10 minutes to make his presentation.

**Mr Tascona:** It's a pleasure for me to rise to speak to you about my resolution with respect to driver fatigue. Every day throughout this province driver fatigue is the cause of many unfortunate accidents. That is why I believe it is important for all of us to work together to develop and implement new measures and to increase the safety of motorists across the province.

During the past several months, I have worked closely with the Canadian Automobile Association—the CAA—to create my resolution. My resolution aims at creating more rest areas across our great province of Ontario to help ensure the safety of our motorists.

It is my understanding that there are two types of roadside stops: there are service centres offering fuel and food, which are prominent throughout this province, and there are rest stops offering calm and greenery. My resolution looks into creating more of the latter of the



two roadside stops. This would provide motorists with areas where they would feel comfortable stretching or walking and where parents would feel safe letting their children run freely to burn off excess energy. Furthermore, it would create an area where truck drivers could park their vehicles and relieve their fatigue without dangerously blocking the shoulders of the road.

Let's be clear: driver fatigue is a serious problem. The 1999 road user safety statistics for Ontario indicate that of the 401,572 collisions reported, 1,744 involved drivers who suffered some form of fatigue. However, experts agree that the rate of fatigue-related incidents is much higher, as many crashes are attributed to other factors. For example, police reports indicate that of the 401,572 accidents that occurred in 1999, 21,597 drivers were involved in the accident because they weren't attentive. Furthermore, a national study by the Canadian Automobile Association indicates that 79% of their members feel that fatigue poses a threat to their safety on the road. It is a fact that the only truly effective strategy drowsy drivers can take to prevent a crash is to immediately stop driving and get some rest.

I have received letters of support from many stakeholders and would like to take a moment to read some of their comments to you.

The Ontario Traffic Conference indicates: "Your suggestions merit action by the Ministry of Transportation. We believe a six-month study gives ample time for the ministry to come back to the Legislature with recommendations."

The Ontario Trucking Association states: "Increasing the quantity and quality of rest areas along the provincial highways, particularly in northern Ontario, has been a long-standing issue for Ontario's trucking companies and the drivers who work for them.

"In order to comply with the province's hours-of-work regulations, which restrict the hours that a commercial driver can work, drivers are often forced to stop on the shoulder of the highway or in some other unsafe location because of the lack of adequate rest areas. Given that the government has indicated that it will soon be amending the regulations to reduce the hours that a driver can work, it is all the more imperative that the MTO take a careful look at the existing supply of rest areas and consider adding new areas where the need for additional capacity is identified.

"I can therefore assure you that you have the full support of the Ontario trucking industry in your efforts to convince MTO to make provision for adequate stopping areas throughout the provincial highway network."

From the Police Association of Ontario I received a letter saying, "The PAO board supports the resolution and would be pleased to provide input into any study that is designed to improve safety on Ontario highways. As you are aware, the PAO represents over 20,000 front-line police personnel, and we appreciate the fact that you have asked for our organization's perspective on this important matter."

I received a letter from the Tourism Federation of Ontario that states, "We respectfully encourage you to

broaden your resolution so that it calls for more frequent rest stops on all major highways throughout Ontario and not just the 400-series highways." I would note that my resolution covers all Ontario highways.

The Tourism Federation of Ontario goes on to state, "For example, the need for rest stops is also crucial throughout northern Ontario, which does not have 400-series highways. In addition, your resolution should call for improved maintenance of existing rest stops in terms of upkeep, ensuring they are kept in good repair, sanitation, which means regular garbage pickups, and security and adequate lighting at night.

"The safety and security of travellers is a key concern of Ontario's tourism industry. The last bullet of your resolution calling for public education to drive traffic to the new rest stops is particularly important to tourism since these stops could provide an ideal opportunity to market local attractions, retail shops, festivals and tourist accommodation to travellers."

I also received a letter from the Ontario Senior Officers' Police Association, which wrote to me and said, "The Ontario Senior Officers' Police Association supports your opinion that rest stops would reduce motor vehicle collisions and provide a much-needed respite from the stresses of driving. As your resolution points out, public education will be necessary to encourage the use and need for rest stops."

I also received a letter from the CAA with respect to this resolution. The CAA writes to me, "CAA Ontario is pleased to lend support to your resolution for research into fatigue-fighting infrastructure on Ontario roads. We note your resolution includes the following: a shorter distance between rest stops, more truck parking space at rest stops, more restful rest stops, better signage of and access to current rest stops attached to service centres, and public education designed to drive traffic to the new rest stops."

I'm looking for all-party support with respect to this resolution today. Driver fatigue is obviously an issue with respect to driving on highways today, when we see the increased urbanization and increased commuter driving, and the practical fact that if you have long drives to certain areas, whether it's to northern Ontario or southwestern Ontario, you'll find along those stretches in southwestern Ontario and northern Ontario long distances between the commercial rest stops we have out there in terms of service centres and being able to get off the highway.

I think it's much preferable to provide options to drivers to get off the highway and make that issue more directly dealt with, rather than someone getting off to the side of the road. Obviously, the OPP would have a concern if someone is off to the side of the road and would want to make sure that everything was fine. To me, that's a waste of the time of the OPP, if it is just for someone who wants to get off the highway for a rest.

There should be places there as in the United States. When you drive down the I-75 or if you drive through Fort Erie down to different parts of the United States,

you'll find not only adequate signage with respect to service centres but adequate signage with respect to rest stops. A lot of areas have those rest stops throughout, so you don't have an issue with respect to people trying to get off the road—not necessarily wanting to get off at a service centre—as something they want to do in terms of getting off the highway for rest and relaxation, along with being able to take a break from a long drive.

1110

Driver fatigue, as I indicated, is a very serious factor with respect to unsafe road-driving habits. You're seeing people who perhaps would be speeding or driving faster, because they want to get home quicker, recognizing that they can't get off a highway anyway because they have to look for service centres. This gives them an option to perhaps get off that highway, and get home in a safer manner.

This is an issue that deals with our infrastructure. We have to bring our infrastructure up do date to the realities of our society in terms of the people who use automobiles and the commuter traffic we're facing today, and the public must realize that driving while fatigued is not a safe driving habit. We have to get through to them that there are other alternatives with respect to driving in that manner.

I'm pleased to present the resolution and I'm looking for all-party support.

**Mr Pat Hoy (Chatham-Kent Essex):** I'm pleased to rise and comment on this resolution. I must say, though, that I will be amazed if the Ministry of Transportation has not examined the relationship between driver fatigue and road safety. I would hope that the people of Ontario would be with me on this issue, that the Ministry of Transportation would have this work done. I think everyone would agree with the member opposite's opinion and view, shared by many, that driver fatigue can indeed cause accidents. Therefore, I would think the Ministry of Transportation has an extensive file, an extensive knowledge, of what fatigue could mean to our drivers and the safety on our highways.

I think it stands to reason that fatigue can affect anyone's performance, whether they're driving or, for example, working on our farms. I know in the spring and fall, I have often asked, and have been asked, to assist in giving information to farmers who are working very hard, long hours, to take a rest; "Pause, take a rest and be sure you do your work well and safely." I know the Farm Safety Association calls for that as well. So it's a point well taken throughout communities in Ontario that fatigue can cause accidents.

I am amazed, however, that in 1996 there were 21 service centres that had picnic areas beside them where persons could go and relax, take their children, take pets, walk them and get a full, relaxed moment. Obviously those persons cannot take their animals into the stores and food outlets etc that exist at these service centres. They're not allowed to go in there. They need a place to put their recreational vehicles, to pull into these picnic areas, to take their boats and stay away from the truck traffic that is generally at the back of the rest stops.

But do you know what happened in 1996? The government closed 19 of those 21 service centres, those picnic areas. They closed them. They had chains across the front of them. People couldn't get in. The grass was three feet high. I visited the ones in my area. The grass turned brown. It was actually a fire hazard. There were picnic tables in there. If a fire had started, I don't know what would have happened.

People pulled in with their children and their recreational vehicles and parked wherever they could—actually a dangerous situations as posed to me by the people who operated the service centre itself. They were parked along the 401, on the side of the road. In my area at that time, we did not, and still do not, have fully paved shoulders on both sides of the road—very dangerous; young children along the 401 and the recreational vehicles.

I have a letter here signed by the then-minister explaining why they did this. They closed 19 of 21 service centres where people could rest, relax and ensure they did not suffer from fatigue. I'll read it:

"While we recognize the convenience that the service centre rest areas and picnic sites offer to the travelling public and their value to the tourism sector, the ministry does not consider the maintenance of these facilities essential...." It's signed by the minister of the day.

**Ms Marilyn Churley (Toronto-Danforth):** Who was that?

**Mr Hoy:** You'll have to go back in your memory bank for the then minister. He signed the original letter. It was forwarded to myself. I was cc'd on this, as he wrote to the Chatham-Kent Tourist Bureau. Of course there is a tourism effect, naturally, to these rest stops as well, but we're talking about the issue of fatigue. Can you imagine the people who have come to Ontario and found these sites all closed, grass three feet high, not cut, not maintained, chained and they can't get in?

It did not, in my view, say welcome to Ontario. Eighty-five per cent of the tourism is by auto through our province. An unhappy tourist will tell others. I think that the House would agree, that the members here assembled today would agree, that word of mouth is an excellent way of having people talk about this fine province and how people should come here and visit, bring their children, bring their recreational vehicles and enjoy these sites. But in 1996 this same government closed the sites.

I think it was wrong-headed. We need to ensure that people have an opportunity to rest, and to inform them to do so. The ministry must have figures on this, they must understand this now and they should be doing something about it.

**Ms Churley:** I would say hallelujah, pregnant women rejoice. I know we're talking about road safety today, and I'll get to that, but it wasn't until I was having a baby and travelling across this province that I really noticed the lack of rest stops across the province. Every woman who has ever been pregnant—

**Mr Peter Kormos (Niagara Centre):** Not because you were tired.

**Ms Churley:** Not because we were tired, not because we were fatigued, but you know what happens.



I'm not sure if the resolution before us today—it's not clear on that—would also include washrooms. He makes a distinction between the rest stops that now exist where there are entertainment centres, restaurants, gas stations and all of that. Perhaps the member can clarify that—I'm doing this for the sake of pregnant women across the province—but I assume he's also talking about making sure there are in fact more actual washrooms on site.

I too find it strange that within Mr Tascona's resolution it says:

"That the ministry will be given up to six months to study and report back to the Legislature with recommendations respecting improved road safety on Ontario highways resulting from the design of a fatigue-fighting infrastructure plan for Ontario, which will address the following needs: a shorter distance between rest stops; more truck parking at rest stops; more restful rest stops; better signage of and access to current rest stops attached to service centres; public education designed to drive traffic to the new rest stops."

I appreciate, Mr Tascona, the background you have provided for us. I would assume—I don't know if you had the opportunity to look into this—that the Ministry of Transportation would have information and studies on this and that it shouldn't take up to six months to compile that information, to pull it together and come up with a plan. I'd be surprised if there isn't already some information.

Certainly, the material you provided is very good. I particularly like the driver fatigue background. There's some very good and very frightening information in that background, particularly when I read from the United Kingdom that driver fatigue causes up to 20% of accidents on monotonous roads, and a study of road accidents between 1987 and 1992 found that sleep-related accidents comprised 16% of all accidents and 23% of accidents on motorways.

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I mention this in the context of an issue we recently became aware of. I find it interesting that this resolution is before us today in the context of this government having just signed a federal-provincial agreement last week that paves the way for an 84-hour week for truckers. This will reduce road safety, in my view, as cumulative fatigue will cause more drivers to fall asleep at the wheel.

Just so people understand the agreement that was signed, the new rules will allow truckers to work 70 hours over five days, rest for 36 and then start working again right away. They will be able to work 14 hours a day. The old rules allowed 60 hours of work per week or 70 hours in eight days. The US allows drivers to drive only 10 hours a day and 60 hours a week.

I'm concerned and wondering why—and Mr Tascona may disagree with his government's having signed that. I understand the Ontario Trucking Association supports the new rules and they believe that's enough rest. Let me tell you why I think they support it.

Since deregulation of the trucking industry, truckers—and we know all about this—are having a very hard time

being able to make a living. They're finding they have to drive more and more hours to be able to bring home enough money to support their families. That's a fact, and we have all kinds of evidence of that. Of course people are going to want to work as many hours as they can, which means the opportunity to make more money.

I think it is of real concern. It is to me when I'm on the highway. Of course we're not going to get into the issue of highway safety right now. There are all kinds of issues around that, certain stretches that we are well aware of where we need improvements in the road where there's a lot of truck traffic, for instance, between here and Windsor and Windsor and the border, those kinds of areas.

The fact that there are going to be more truck drivers out there driving for longer hours I find really disconcerting and frightening. I don't know if any of you have ever experienced this—and I certainly don't want to just attack truckers today, because I know they're not by any stretch of the imagination the cause of most accidents, but we do know, and the evidence is in the information that Mr Tascona provided for us today, that driver fatigue causes accidents. The longer you're on the road driving without a chance to not only rest but get enough sleep can lead to accidents.

I experienced a very frightening thing once and perhaps it made me a little bit more aware of the driver who falls asleep at the wheel, because I was nearly killed some years ago.

Evelyn Gigantes, a former colleague, and I were driving back from Hamilton and she was driving my car. We were in the middle lane of three lanes on the 401 and I was on the passenger side. A truck started to veer—I felt it—right into our car. When I looked, it was continuing to veer and it was this close. I screamed at Evelyn—there was no time to do anything else—"Get over," and she did without looking. There was no time to look—the only way to escape that. We were fortunate in that there was nobody in the other lane when she moved into it. We had no choice or we would have been wiped out. We watched that truck continue to veer. We beeped our horn like crazy and we noticed that—it's a good thing—shortly after, it left the highway. These are big vehicles and when something like that happens to you, it makes you more and more aware of the need for truckers to get enough rest and sleep.

I certainly want to leave a little bit of time for my colleague here. I support the resolution before us today and would suggest that the government, particularly in light of the information that was provided for us today, go back and take a second look at this agreement that was just signed. But I certainly do support the member's resolution today.

**Mr Wayne Wettlaufer (Kitchener Centre):** I'm pleased to rise today and speak in support of my colleague's resolution—the member from Barrie-Simcoe-Bradford. It's a resolution which urges further study concerning the relationship between driver fatigue and road safety on Ontario's highways, byways and super-highways.

Highway 400 in particular has been a long concern of mine, especially north of Highway 11, and I have raised this issue with the bureaucracy in the Ministry of Transportation numerous times over the last three years. As parliamentary assistant in the Ministry of Tourism and Recreation, I would like to address this issue from the perspective of the tourism industry.

Tourism is going to be the world's largest industry by the year 2020, and I firmly support this resolution because Ontario wants our share of that very lucrative market. It means jobs, jobs, jobs everywhere in Ontario. Many of the people in the north, where I have travelled extensively this summer, are very concerned about those jobs which will keep the children of the families living in the north.

Our visitors who drive to and in Ontario—it's known in the trade as the rubber-tire market—are an essential component of the province's tourism market; 91.6% of Ontario's visitors use our vast network of highways and roads throughout this huge province. That translates to more than 100 million visitors per year who are rolling along on our asphalt. That's a lot of traffic and, as we all know, driver fatigue can have a serious impact on our driving safety, and any negative impact on road safety has a negative impact on our tourism industry.

We in Ontario pride ourselves on highway safety and strive to make our roads visitor-friendly with safe conditions, large and legible road signs, our own TODS tourism attractions designations, as well as safe, secure and relaxing rest stops along our highways.

As someone who truly enjoys driving through this province, especially the very scenic north, and as someone who loves driving and discovering all parts of the province, I appreciate the creative rest areas that Ontario provides for its highway drivers. These are not simply restroom pit stops, but relaxing areas of rest and relaxation where drivers can stretch their legs or perhaps even take a quick nap. As we all know, the 15-minute power nap is sometimes as beneficial as a few hours' sleep. Many stops, even those located in scenic wilderness areas, feature barbecue pits, picnic tables and small variety stores. Some are located beside lakes and rivers, where motorists can take a refreshing swim or stretch out on a sandy beach. I've even visited certain Ontario rest stops that feature tiny shelters filled with pamphlets, flyers and brochures. This provides an excellent opportunity for operators to do some cost-effective marketing for the local tourism attractions, motels and restaurants.

An extensive study of these rest areas has implications for our ministry, the Ministry of Tourism and Recreation. The ministry operates 18 travel information centres, 17 of them located at major border crossings and along the province's 400-series highways. Year-round centres are located in Cornwall, Fort Erie, Fort Frances, Kenora, Niagara, St Catharines, Sarnia, Sault Ste Marie, Windsor, Toronto and Barrie. There are six additional seasonal centres in eastern and northern Ontario.

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In 2000, these travel information centres serviced more than 2.5 million visitors. The centres serve as information outlets and rest stops for millions of people on the roads, both visitors to Ontario and residents who are exploring their own province.

The current examination to develop more of these rest and relaxation areas throughout the province should include an impact study of our existing travel information centres. We have already seen the tourism industry taking an interest in rest station areas. The OPP in Huntsville organized a pilot project, called Driver Reviver Station, encouraging tired drivers to take more breaks from the road. The community partners for this project included the Almaguin Highlands Information Centre, which served as the site for this initial project, the Travelodge/Thriflodge hotels and the local Comfort Inn.

I believe the tourism industry in Ontario has a vested interest in this very important issue regarding public safety on our highways. For this reason I strongly support the resolution of the member from Barrie-Simcoe-Bradford to examine the creation of more rest and relaxation roadside areas throughout our vast province.

**Mr Rick Bartolucci (Sudbury):** I stand in support of the resolution by Mr Tascona, the member from Barrie-Simcoe-Bradford. Certainly, I want to zero my remarks in on Highway 69.

The highway is referred to as Death Road North because the statistics indicate that it's the most dangerous stretch of highway in all Ontario, that it has the highest number of deaths in all Ontario and yet this government does nothing about the four-laning of Highway 69 from Sudbury to Parry Sound. Absolutely nothing has been done.

The suggestions from the member are good, but for Highway 69 they're only interim suggestions. They will only help for a while. We need permanent solutions to Death Road North, and those permanent solutions include the four-laning of Highway 69 from Sudbury to Parry Sound. The government will pride itself on saying it spent roughly \$409 million around Parry Sound, the four-laning aspects. We in Sudbury and northeastern Ontario see that as a good first step. We don't deny that there should be good roads across Ontario, but we insist that there be a safe road from Sudbury to Parry Sound. We insist that this government do the environmental assessments and begin the paving.

I challenge anyone on the government side to say they spent more than one cent on four-laning from Sudbury to Parry Sound. There hasn't been one penny spent on multi-laning that highway, in actual physical work.

We challenge the government. Listen to what Crash 69 is saying. Listen to what the municipalities across northeastern Ontario are saying. Listen to what the chambers of commerce across northeastern Ontario are saying. Listen to the labour groups across northeastern Ontario. Listen to the service clubs across northeastern Ontario. These groups come from Parry Sound, some from North Bay, from Sudbury, Sault Ste Marie and



points north and northeast. We know it is an extremely important initiative that this government should be acting on quickly, and you have a golden opportunity because there is \$2 billion worth of infrastructure money.

I challenge the members across the way, and in particular I challenge the member from Parry Sound-Muskoka, to write a letter to the Premier and say, "Highway 69 four-laning from Sudbury to Parry Sound should be the number one priority, because it will not only help Sudbury and those people who travel the highway, it will also help Parry Sound."

I challenge the member from North Bay to write a letter to the Premier and say, "Yes, that's my number one priority, because I know that just as we're four-laning Highway 11, it is equally important to four-lane Highway 69 from Sudbury to Parry Sound."

I applaud the initiative of the member from Barrie-Simcoe-Bradford. If passed and implemented, it will make a difference on the 400 series of highways. It is only a stop-gap measure for Highway 69. The real solution to Death Road North is to four-lane 69 from Sudbury to Parry Sound.

**Mr Gilles Bisson (Timmins-James Bay):** I just had to run into the House to say a few words, after my good friend Mr Bartolucci, in regard to the four-laning of Highway 69. I think it's great that he, along with Shelley Martel and others in northern Ontario, is advocating to get that highway four-laned. But I'm here to beg just to get a road—just one road. We don't have very many where I come from. Many of the communities I represent either go in by barge or by plane, or sometimes in the winter, when we're lucky enough to have a cold winter, they build a winter road.

While we're talking about four-laning highways like Highway 69 or putting 10 lanes on Highway 400, as we heard yesterday, I just want to advocate, for the Mushkegowuk Cree and other people who live on James Bay who don't have roads, that if you guys are talking about building roads in southern Ontario, it would be really nice if you would build even a single-lane road in some of the communities I represent. It would be really nice to have a road that went from Moosonee down to Highway 11, so that people could make that connection to the rest of the world and not have to go by rail or pay for an airplane ticket; to have a road to go to Fort Albany-Kashechewan, Ogoki, Atiwapiskat, up to Fort Severn or into Peawanuk, because those communities are landlocked. The only way you're able to get in is by plane. I'll tell you, most people in Atiwapiskat—I would say about 80% or 90%—never get out. Why? Because they can't afford to get out. They can't afford to buy the airline ticket to get out and to come to Timmins and do other things and make connections across this province and across this country.

So while we're talking about roads, on behalf of the Mushkegowuk Cree and the rest of the people who live on James Bay, could we have but one single-lane road? We'd be happy even if you didn't pave it and just built a couple of bridges so we could have an all-season road

that goes all the way up the coast, so people can enjoy some of the things people down here seem to take for granted. If you're talking about building four and eight lanes, we'd like to have one.

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** Kudos to my fellow member representing Barrie-Simcoe-Bradford for bringing what I consider a timely resolution forward to increase safety and convenience on our roads, both for those of us who drive automobiles and for professional truck drivers.

As we know, if passed, this resolution will give the Ministry of Transportation a six-month window to come back with recommendations focussing on shorter distances between rest stops, more truck parking, better signage and more public education.

We have seen the dangers of driver fatigue. In fact, I would submit that each and every one of us in this Legislature has at one time or another experienced tired eyes and slow reactions that can accompany a long drive. None of us is immune. The human body is simply not set up to take lengthy periods of sitting in the driver's seat staring at a constant flow of traffic or asphalt without experiencing some form of fatigue.

Statistics bear this out. As Mr Tascona has pointed out, in 1999 there were 1,744 collisions in Ontario that involved drivers suffering from fatigue. The Alberta Motor Association stated that 15% of all motorists have reported falling asleep behind the wheel.

While some areas of southern Ontario already have what might be considered adequate rest stop coverage, I can attest to the fact that many areas of this province are far from adequately served. As parliamentary assistant to the Minister of Natural Resources, I spent many hours and many miles travelling up and down on what's referred to as the Great Lakes Heritage Coast, which stretches from Pigeon River on the Minnesota border, down and across the north shore of Lake Superior and the North Channel of Georgian Bay to the Severn River. I certainly am aware first-hand of the need for suitable rest stop facility locations. I appreciate that expression, "the long stretch of highway," a remote northern stretch of blacktop with no restroom. At times that is a long stretch of highway, and a stretch that can be less than amenable to luring the tourist traveller as well.

#### 1140

Our truck drivers are forced to deal with this every time they travel these long distances. In fact, government relations manager for the Ontario Trucking Association, Doug Switzer, indicated to my office that, with hundreds of miles between places where drivers can pull over, truckers are often forced to pull over on that very narrow shoulder, and clearly this practice creates a safety concern, not only for other drivers but for the trucker himself. Talking to truckers, the last thing they need to hear is that knock on their door in the middle of the night asking them to move on. Very clearly, the trucking association has indicated the value as a fatigue-fighter to have these areas to pull over and recharge the batteries.

A few weeks ago, I spent a Sunday afternoon at Ludwig transport down in my riding, south of Simcoe. One driver just got delivery of a beautiful, brand new, never-been-used Peterbilt tractor—a \$150,000 tractor, a Caterpillar diesel—and this is his home. When I say this tractor-trailer is his home, he does not have a house, he does not have an apartment. He lives in his tractor-trailer. This is home and this is his profession.

Surely we can do a little better for many of these men and women—a number of women drive for Ludwig transport. We can do better for other drivers who are on these highways. I think of other companies in my area, of Verspeeten, Smith Transport, McBurney, Slack and other fine companies, based not only in my riding but elsewhere.

For many of the fatigue factors that we hear about this morning, we really have little or no control; however, when it comes to driving Ontario's highways, this government does have control and, I would suggest, responsibility, to ensure that drivers, whether they're truckers or tourists, are given the opportunity to recharge their batteries somewhere off the beaten track.

MPP Tascona has done his homework on this, and I encourage members of this Legislature: let's help improve road safety for all of Ontario and support what I consider a fairly significant resolution.

**The Acting Speaker:** Further debate?

**Mr George Smitherman (Toronto Centre-Rosedale):**

It's my pleasure to have an opportunity to speak in this debate and to say at the outset that I'll be supporting this resolution today.

I was anxious to speak about it because I'm the son of a trucker. Adorning the walls in my office are pictures of my dad's trucking fleet—it was called Smitty's Haulage then—pictures taken in 1962 or 1963, just a year or so before I was born. My dad had by then adopted this tradition that always carried forward, which is that the trucks had to be lined up bumper to bumper. In later years, my career as a truck washer took hold. My job, by the end of Saturday, would be to make sure that 60 or 80 gleaming Macks and Freightliners and at least one International Harvester were properly lined up.

So truckers and cab drivers are my heroes, because they're the people who are required to assist us in transporting either us or materials. I remember that old slogan of the Ontario Trucking Association: "If you've got it, a truck brought it." It remains, I think, pretty true today.

I know those folks, and I talk to a lot of them. They work a lot of hours. One of the experiences that I had as a kid was the accident scene run with my dad. When you have a company of 100 power units and you're running hundreds of thousands of kilometres a year, accidents are an unfortunate part of the business. I attended accidents at the bottom of the Burlington Bay Skyway, at the corner of Highway 27 and Belfield. I remember one run that we made up to a rock cut near MacTier, where one of my dad's drivers, hauling 85,000 pounds of steel from Algoma Steel in Sault Ste Marie where my dad's company was the house carrier, had fallen asleep, and he

went into the ditch. His truck ended up smeared against a rather unforgiving piece of the Canadian Shield. With his luck, he was thrown from the wreck. We went to visit him later in the Parry Sound hospital and counted our blessings he had lived that accident out.

One of the opportunities I cherish the most was the time I spent as executive assistant to a guy named Hugh O'Neil, who served this House with distinction for 20 years, including as tourism minister. The Speaker will know that during the days of the Peterson government, a very significant expansion of tourist information centres, many of which included truck parking, occurred. I think one of those might have been built somewhere near a bridge on the island that the Speaker calls home. I know there was one built in Wawa that I had the honour of attending the opening of, along with David Peterson, who was then the Premier.

As I travel around northern Ontario I see many of these centres. I think it speaks not only to an economic commitment that we make to the tourism industry, but also to a very practical recognition that in a country as vast as ours we need to make a commitment to allowing people an opportunity to pull over to the side and catch a few winks.

I live downtown and have the opportunity to use public transit, taxis, to walk, from time to time I even rollerblade. I also drive a car, rather too much sometimes, I think. My car was purchased right around the time of the election, in April 1999. My kilometres wouldn't begin to match those of my colleagues from places like St Thomas, Chatham and the Niagara Peninsula, but I've managed to rack up about 118,000 kilometres, so I get to travel these roads the same as other people. From that standpoint I think we all recognize that an expansion of opportunities for people to pull over to the side and rest a little or to let the kids wind down and calm down a little bit are important things.

Last Saturday I spent the day in Ottawa, at Meach Lake in fact. I was driving back to Toronto. I hit Kingston and found my 30 minutes of rest in a McDonald's parking lot. Now, I'm attracted to McDonald's—that may be more obvious than I wish it were—but I'm one of those who within the last week would have benefited practically from a better array of options had this resolution taken hold in the hearts and minds of those people who spend money over there and do planning within the Ministry of Transportation.

Count me as a strong supporter of this, and count me as one of those who has a pretty strong appreciation for the work truckers do in our society.

**Mr Kormos:** New Democrats support this resolution. Ms Churley and Gilles Bisson spoke to it and I'm pleased to speak to it as well. It just makes sense. Quite frankly, I encourage the author of the resolution, because it's obvious that it's going to pass today, to ensure it receives the attention it deserves from this government's Ministry of Transportation and Ministry of Tourism.

We North Americans use highways. We drive far greater distances than people in Europe, for instance, do.



We don't utilize public transit as often as we should, be it bus or train travel within the province or across the country. That again is a reflection of the diminished investment in that type of public transportation.

As a frequent, and for so many years now, commuter from Niagara to Toronto, I've got to tell you that you're up at 5:30 or 6 and you have two or three cups of coffee while you're reading the paper. You hit the QEW and you might stop at the Swiss Chalet-Harvey's at Casa-blanca Road, and I recommend it to you—I'm a fan of Swiss Chalet—but if you do, you pick up another coffee, and I tell you that by the time you hit Duck's dip over at the beginning of the Gardiner—the dip has been levelled out a little bit, but back when the dip was dramatic, by God you needed a rest stop.

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You would have given your left arm, you would have cashed in the RRSPs for a rest stop. You're biting the back of your hand, not because you're tired but that last dip at Duck's dip drained every last bit of resistance out of you. Surely, nobody can refute the safety issues around driver fatigue, but surely the need for a restroom can be as distracting as the need for a rest; I don't think there's anybody here who could dispute that.

There are great opportunities here. One, from the tourism perspective, is to make our highways the envy of North America in terms of their attractiveness to other Canadians and to Americans.

I've got to tell you, a few years ago I had the privilege in Italy to drive down the autostrada. Now, they've got rest stops. They've got rest stops with espresso bars and wonderful arrays of food and cured meats. They have not succumbed to the fast-food chain syndrome. Webers, for instance, is one of the few remaining on your way up north where you aren't confronted by the same old, same old.

I encourage the government, in establishing these rest stops, to look at entrepreneurs other than solely the traditional fast-food restaurants as sponsors or—dare I say it?—yes, even partners.

Rest stops, we support. I'll take a look very quickly at some imperative elements of them: accessibility. I tell you that a rest stop should contain restroom facilities because that's an inherent part of the utilization of them. But they should be accessible, and that means wheelchair-accessible, accessible to persons with any number of disabilities, but also accessible in terms of being even senior-friendly.

Second, we have to have rest stops that identify themselves as having security. Far too many travellers may find themselves reluctant to pull over, especially in the dark of the night, at a so-called rest stop unless it's identifiable as one that has live, on-site security. I think that would be an incredibly effective enhancement.

The trucking industry and truckers have been addressed, and very legitimately so. But the rest stop has to be supportive of not only truckers but also the domestic traveller, the person in their car either alone or with their kids or other passengers in their vehicle.

So I encourage the member to pursue this. I encourage him to ensure that issues of accessibility, security and the amenability of the rest stop to not only commercial truck traffic but also to domestic and motor vehicle traffic be an imperative part of each and every one of these new rest stops. I also encourage the government to be creative in ensuring that we have rest stops that are above and beyond the same old, same old.

**Mr Norm Miller (Parry Sound-Muskoka):** It's my pleasure to join the discussion today and to support the resolution brought forward by my colleague Joe Tascona from Barrie-Simcoe-Bradford.

As many of you know, I have the beautiful riding of Parry Sound-Muskoka. Every weekend, thousands of people head up Highways 11 and 69, usually after a long week of working or having just flown into Pearson from an international flight, so many of them are driving in a fatigued state.

The statistics show that in 1999, of the 401,572 collisions reported, as many as 1,744 involved drivers who were suffering from some form of fatigue.

There are rest stops on Highways 11 and 69, but I think especially in the north, and as the parliamentary assistant to the Minister of Northern Development and Mines, we have huge geographic areas to cover and, in many cases, many hours between rest stops.

I was looking through the northern clippings and I see in the October 1 Kenora Daily Miner and News that this topic to do with Highway 17 has come up. I'll just read from that: "Improving safety on a stretch of the Trans-Canada once dubbed The Death Strip isn't a matter of adding more lanes, but a case of keeping drivers awake.

"Kenora councillor Don McDougald made that comment last week during a finance and administration committee meeting" about "a resolution to twin Highway 17 between Kenora and Vermilion Bay."

He goes on to say, "Personally, I think they have done a marvellous job with what they have done with the highway both east and west (of Kenora) ... Maybe we could add a few passing lanes, but I don't think there is anything wrong with the highway."

"He said the single factor that would reduce the number of crashes on the strip is by building properly designed rest areas where tractor-trailer drivers can easily stop, grab a cup of coffee and stretch their legs.

"If you look at the Trans-Canada Highway through this area, the nearest [rest stop] is at Headingly and if you go east, it's Thunder Bay"—to the west—"and that's an 11-hour stretch. ...

"We need places with decent access on and off. Sure there are places you can get off, but it's strictly on one side of the highway or the other." ... "

The Miner goes on to say, "Mayor Dave Canfield agreed, noting that in the four August crashes (in which nine people were killed), each was the result of either drivers falling asleep or in which alcohol was a factor."

The member from Sudbury was talking about Highway 69 and work going on in highways north. I'd just like to point out that in the riding of Parry Sound-

Muskoka there are hundreds of millions of dollars being spent on both Highway 11 and Highway 69. We're setting record amounts of money being spent on highways in the north, far more than was done by past governments represented by the member from Sudbury.

I'd like to point out that we are spending hundreds of millions of dollars on improving the highways in the north. I think it's very important that we've been doing that.

I had the opportunity to comment on the new visitors' centre being created as part of the Great Lakes heritage coast at French River. My one suggestion is that the rest stop be made so that it can adequately handle large trucks whose drivers need an opportunity to rest. Statistics show that having a short 15-minute break, especially before you become tired, can make a big difference in terms of safety on highways.

I'd like to draw attention to a program that was developed in my riding this past summer by Constable Harry Rawluk of the Huntsville OPP detachment. He's developed a program called Driver Reviver. They have a station just north of Huntsville on Highway 11 which saw a steady increase in drivers that ran over the July 1 long weekend and weekends from then on. Harry Rawluk, when I was speaking to him, said that this is something that needs awareness raised on this issue of driver fatigue.

I believe this resolution today is doing just that, raising awareness of the fact that we all need to watch that we don't become too tired while driving.

**The Acting Speaker:** Response.

**Mr Tascona:** I'm very pleased to respond to the many colleagues who have spoken in support of this resolution: the members from Chatham-Kent-Essex, Toronto-Danforth, Kitchener Centre, Sudbury, Timmins-James Bay, Haldimand-Brant-Norfolk, Parry Sound-Muskoka, Niagara Centre and Toronto Centre-Rosedale. I thank them for their support.

The general theme is that MTO should act on this. The intent of the resolution when in fact putting together rest stops along highways is to ensure they maximize the safety and security of those who using them. I would envision in the spirit of this resolution seeing a phone installation for emergency calls, picnic tables, washroom facilities, adequate lighting and certainly proper maintenance of this particular area for usage by the general public.

The member from Kitchener Centre indicated the impact this also has on tourism, and I quote his statement that "any negative impact on road safety has a negative impact on our tourism industry." It also negatively impacts the general feeling of the public using those roads every day. People who are in situations with young children or in situations with medical problems have to be sure they can trust not only the roads but the people who are using them.

Driver fatigue is a very serious problem. I thank members for what I would hope is all-party support for this resolution.

**The Acting Speaker:** This completes the time allocated for debate on this matter.

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**The Acting Speaker (Mr Michael A. Brown):** I will now place the question on ballot item number 57.

Madame Boyer has moved private member's notice of motion number 14. Is it the pleasure of the House that the motion carry? Carried.

#### ROAD SAFETY

**The Acting Speaker (Mr Michael A. Brown):** Mr Tascona has moved private member's notice of motion number 13. Is it the pleasure of the House that the motion carry? Carried.

All matters before the House this morning being now complete, this House stands adjourned until 1:30 of the clock this afternoon.

*The House recessed from 1200 to 1330.*

#### MARY BARTOLUCCI

**Mr Rick Bartolucci (Sudbury):** On a point of order, Mr Speaker: There's a lady from Sudbury who has taught her family and friends the importance of honesty, fortitude, compassion and knowledge; a person who has a heart and house that is open to everyone at any time, be it friends, family or strangers; a person who believes that the three greatest gifts are faith, hope and love; a person who has played the organ at her church for the last 63 years. That person's name is Mary Bartolucci. She's celebrating her 85th birthday tomorrow and I just want to wish her a happy birthday and say, Mom, I love you.

**The Speaker (Hon Gary Carr):** I want to pass my best wishes on to your mom as well, and I also want to thank her for the lovely correspondence she gave me this week. It was very appropriate. Tell her I do pull it out once in a while and it's very appropriate. Thank you to her very much.

#### MEMBERS' STATEMENTS

##### NORTHERN HEALTH TRAVEL GRANT

**Mr Michael Gravelle (Thunder Bay-Superior North):** For some time now, many of my constituents have been frustrated and bewildered by the restrictive guidelines and bureaucratic nature of the northern health travel grant program. The stress this causes is nothing short of cruel at times, and each new example I bring forward only adds to the need for a thorough review of this vital assistance program for northerners.

Today I must draw to the Minister of Health's attention a situation that cries out for his immediate attention. A constituent of mine has a 14-year-old daughter who



suffers from a variety of mental health problems, including obsessive-compulsive disorder, extreme clinical depression, Tourette's syndrome and post-traumatic stress disorder. She has been hospitalized three times in the past six months and is suicidal.

Despite all this, there is hope and there is help. Two psychiatrists who have been treating her in both Thunder Bay and Toronto have referred her to a world-renowned psychologist in Toronto. Dr Sandra Mendlowitz is a national expert in the area of cognitive behaviour therapy and she has entered my young constituent in a specialized treatment program that requires 12 trips to Toronto. The problem is that the northern health travel grant program does not fund referrals to psychologists, even world-renowned specialists like Dr Mendlowitz.

This is a life-or-death situation for my constituent and her family. Their struggles have been enormous, but Dr Mendlowitz has become a light at the end of the tunnel. I implore you, Minister, to act quickly to approve travel grant funding for this family in such desperate need. A young girl's life hangs in the balance, and it would be an overwhelming tragedy if bureaucratic red tape and outdated restrictions prevented my constituent from receiving the help she so desperately needs.

#### NEWMARKET SENIORS' MEETING PLACE

**Mrs Julia Munro (York North):** It was supposed to take 10 years. They did it in 10 months. The Meeting Place is a seniors' centre on Davis Drive, next to the train station in Newmarket. The centre was given a considerable loan last year to do a major renovation of the six-year-old facility. The Trillium Foundation gave the centre a grant of \$75,000. The town of Newmarket gave a grant of \$300,000. The 1,400 members of the centre committed to raising \$100,000 for the renovation plus another \$50,000 to furnish the renovated space. Through a variety of fundraising events and corporate sponsorships, the money was raised in 10 months.

The newly renovated space boasts a variety of new meeting spaces, computer rooms and is the headquarters of the Cyberseniors' Computer Club. Prior to 1995, senior activities in groups were scattered throughout the town in a number of public and private buildings. The Meeting Place was opened in January 1995 to offer all seniors' services and programs in one centrally located centre.

Congratulations to the fundraising committee members, Betty Mikucki, Peter Boyles, Jack Brown, Harry Hakim, Marianne Leggate, Peggy Martin, Pauline McLean, Joan Pelham and Jim Wilson, and to all of the meeting place members for achieving a spectacular fundraising success in such a short time.

#### AMBULANCE SERVICE

**Mr James J. Bradley (St Catharines):** Sometimes the headline says it all. The headline in today's St Cath-

arines Standard says, "Ambulance Dispatch a Mess. Paramedics: 'How many more people have to get seriously hurt or perish?'" We see this on the front pages of our newspapers; we see editorials. I have raised so many times in this House the issue of the dire circumstances facing ambulance dispatch in Niagara region.

The time for delay, dithering and procrastination by the Ontario Ministry of Health in dealing with this chaotic crisis confronting Niagara's ambulance dispatch system is over, and immediate action by the Conservative government of Ernie Eves is needed before further deaths occur.

For several months now, I've been calling upon the Ontario Ministry of Health to deal with an ambulance dispatch service that is in critical condition, with ambulances being improperly dispatched by an office located in Hamilton, which must direct ambulances for Hamilton, Brantford, Haldimand-Norfolk, Brant, the Six Nations Reserve and Niagara.

The report of an independent auditor, which was kept secret for months, pointed to inadequate training, low pay, antiquated equipment and frequent turnover of staff, yet little has been done to solve the crisis.

I urge the Eves government to turn over responsibility for ambulance dispatch to the regional municipality of Niagara and to provide the funding to ensure that the service operates efficiently in the best interests of Niagara residents.

#### ONTARIO DISABILITY SUPPORT PROGRAM

**Mr Tony Martin (Sault Ste Marie):** Last spring, I brought legislation before this House to increase the Ontario disability support program pension. My private member's bill did not ask for the sun, the moon and the stars. All it asked for was a simple annual cost-of-living adjustment so that thousands of people who live with a disability in this province could stop falling deeper into poverty.

Since 1993, when the NDP last increased benefits to people who must rely on a disability pension, the cost of living has increased by 12.8%. The \$920 a month that a single person living on ODSP receives is now worth only \$802. This means that people on ODSP have \$118 a month less to live on. What kind of government forces people living with a disability to live in poverty?

The people of Ontario do not want their government giving huge bonuses and buyout packages to government-appointed board members on the backs of people with disabilities. Even three of this Conservative government's own backbenchers understand that forcing people with disabilities to live in poverty is wrong.

Last spring, when Minister Elliott realized she could no longer ignore the public pressure to do what is right and increase ODSP benefits, she tried to duck out of it. She said, "I've asked my staff to review the plan and we will look into it." Well, here we are today and nothing has happened.

## GROVE PARK HOME

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**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I was pleased to attend Grove Park Home's annual volunteer appreciation tea. This annual event recognizes the hard work of volunteers who dedicate their time to making the tea cart, tuck shop and palliative care programs work.

I would like to recognize the following individuals who have made a tremendous effort in leading and organizing the many volunteer programs through Grove Park Home: Helen Switzer, the St Mary's Catholic tuck shop conveyor; Jean Hutchinson, the Central United Church tea cart conveyor; Joan Pearson, the Emmanuel Baptist Church tea cart conveyor; Joyce Ackerman, the Emmanuel Baptist Church tea cart conveyor; Ethel Byles, the Grace United Church tea cart conveyor; Helen Hicks, the North Side Bible Chapel tea cart conveyor; Debbie DeWolfe-Vokey, the palliative care volunteer coordinator; and Betty Latimer, the May Court conveyor.

Grove Park Home is one of the outstanding care facilities within the city of Barrie in my riding. It's also benefiting from the government's long-term-care investment program with respect to putting new long-term-care beds in their facility.

I just want to say that the investments our province has made not only to Grove Park Home but throughout the riding have been very well received.

## MINISTERS' EXPENSES

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** This government clearly has a double standard when it comes to spending taxpayers' money. They got tough with people on welfare. If someone on welfare does not report additional income, whether it is money from OSAP, child support or a paper route, they're charged with fraud. When convicted of such a crime, even if it was an inadvertent oversight, this government hands these individuals a ban for life from ever receiving social assistance again. They broke the rules; they pay the price.

This is also the government that cancelled the \$32-a-month nutrition allowance for pregnant women on welfare because Mike Harris said they would just spend it on beer. However, when Chris Stockwell, John Baird and Cam Jackson break the rules and they spend taxpayers' money on beer, it appears they are offered the opportunity to pay back whatever they think is fair. They break the rules; they pay back what they want.

The double standard is clear, and it is wrong. I know members on the government bench do not like to hear such things in this chamber. However, I just remind everyone on that side of the House that it was your idea to establish snitch lines.

## DAVEDI CLUB

**Mr AL McDonald (Nipissing):** The Davedi Club of North Bay is celebrating its 50th anniversary this year. The Davedi Club was formed in 1952 when a small group of Italians became concerned about the preservation of their Italian culture. While forming the club, they kept in mind a goal: taking an interest in community affairs, especially education, music and sports.

With that in mind, the club's name was decided. Davedi is derived from the first two letters of significant Italians: DA after the poet and educator, Dante; VE after Verdi for music; and DI after DiMaggio for sports.

Len Grassi and Bert Pesano, two of the original founders, are still active members in the club. There are 260 members, with the ladies' auxiliary playing a very integral part of the organization. Past president and treasurer Hub Fedeli boasts that the ladies have the bragging rights of serving the best spaghetti and meatballs.

The Davedi Club plans to complete an Italian library. It reaches out into the community, partnering with organizations that regularly use the facilities, like Heart and Stroke, the arthritis and cancer societies, and many more. It houses a Montessori school for children, to whom the club has donated \$1,000 for playground equipment. In 1952 people didn't know much about soccer so Joe Tripodi and a group of other Italian friends started practising, and soon the Azzuras was formed. Today the club plays a big role in promoting the sport of soccer.

The Davedi Club also promotes itself as a centre for the entire community and is moving forward with renewed commitment to its members and the community of North Bay. On behalf of everyone is Nipissing, I want to congratulate the Davedi Club for serving so well.

## KOREAN HERITAGE DAY

**Mr Tony Ruprecht (Davenport):** Today Korean nationals and Korean Canadians are celebrating a very special day, Korea's National Foundation Day. With us today in the gallery are a number of very distinguished guests: the Consul General of the Republic of Korea, Mr Sook Kim; the president of the Korean Canadian Association, Mr Choon Soo Lee; the former Korean ambassador to Canada, Mr Pil Sik Chin; the president of the Korea Times Daily, Mr Myung Kyu Kim; the president of the Korea Central Daily, Mr Hyo Kim; the president of the Korean Canadian Heritage Award, Mr Chang Hun Chung; the president of the ALL TV, Mr Chang Sung Lee; the former president of the Korean Canadian Association, Mr Sung Taek Han; board director, Korean Canadian Association, Mr Ki Hoon Lee; Deputy Consul General of the Republic of Korea, Mr Ji Eun Yu; and Mr Andrew Chung.

Unlike Canadians who experienced a fairly easy progression toward independence, Koreans had a tremendous experience in terms of pain and suffering to become



independent. To celebrate this day, hundreds of thousands have died. In their own country, they couldn't even speak their own language, but in the hour of their greatest need, in the war for independence, in the war to be independent from their neighbouring countries, Canada was shoulder to shoulder, hand in hand, weapons in hand to defend the right of Koreans today to be independent and have a democratic country. That's Canada; that's their friend.

We are also mindful today of the very special contribution that Canadians of Korean heritage have made. As you know, there are 98,000 and more in Ontario alone. In every corner their contribution is being felt—in the arts, in culture, in the economy. But today we want to say to the representatives of the government of Korea simply this: we will be there when you need us. We will be there when you keep on fighting. We will ensure that you will be able to structure your own future and determine your own destiny. We will be there for you.

#### VISITOR

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** On a point of order, Mr Speaker: It gives me great pleasure to welcome in the members' gallery my good friend Jim Muldoon Sr, president of Carefree Coffee. Jim and his daughter Carol are also in my riding association and are great constituents. He is the owner of a flourishing small business and, as you know, small businesses are the engine of Ontario's economy.

#### AUTISM AWARENESS MONTH

**Mr Bob Wood (London West):** I rise today to tell the House about a highly successful event held in London last weekend to kick off October as Autism Awareness Month. It was a bike ride and walk in which 60 families participated and over \$9,000 was raised. To the surprise of his wife, who sponsored him, the MPP for London West successfully completed the eight-kilometre bike ride.

Autism and related pervasive development disorders, also known as PDD, are found throughout the world in families of all racial, ethnic, social and economic backgrounds. Since there is no physical test for autism/PDD, diagnosis is made by an experienced medical or psychological practitioner and is based on observation of behavioural characteristics. Children with autism/PDD are generally affected in a number of the following areas: communication, social interaction, sensory impairment and play.

The aims and objectives of the Autism Society Ontario are as follows: to advocate on behalf of all people with autism/PDD and their families; to promote public and professional awareness and understanding; to provide information, referral and resource material; to monitor and encourage appropriate government legislation; to act as liaison between parents, service providers and government; to promote diagnostic, education and treat-

ment programs; and to promote research into the causes and treatment of autism. The Autism Society's mission statement is to work together to improve the quality of life for persons with autism and pervasive development disorders and their families, and to ensure that those with these disorders live with dignity within their own communities.

I know all members will join with me in acknowledging the good work done by the Autism Society Ontario, and in particular the London and district chapter.

#### VISITORS

**Mr Tony Ruprecht (Davenport):** On a point of order, Mr Speaker: I have another happy announcement to make. Mr Raghu Krishnan, who works for Hansard, actually just got married, and he has with him a number of guests who come from Mexico. They are José Luis González Aguillón, his brother-in-law; Gilberto Conde Zambada from Mexico City; Adrian Thomas from Luxembourg; and Verónica González Aguillón, his wife. Congratulations, and the very best to you. Buena suerte para los casados.

#### INTRODUCTION OF BILLS

**Mrs Julia Munro (York North):** Mr Speaker, I seek unanimous consent to introduce a private member's bill on behalf of the member for Scarborough East, Mr Gilchrist.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

#### ROUGE PARK WEEK ACT, 2002

##### LOI DE 2002 SUR LA SEMAINE DU PARC DE LA ROUGE

Mrs Munro, on behalf of Mr Gilchrist, moved first reading of the following bill:

Bill 184, An Act to proclaim Rouge Park Week /  
Projet de loi 184, Loi proclamant la Semaine du parc de la Rouge.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mrs Munro:** This bill will proclaim Rouge Park Week. It is the week from September 30 to October 6. In each year after 2002, it is the week beginning with the first Monday in October.

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REPRESENTATION AMENDMENT ACT  
(WATERLOO-WELLINGTON-KITCHENER  
EXCEPTION), 2002

LOI DE 2002 MODIFIANT LA LOI  
SUR LA REPRÉSENTATION ÉLECTORALE  
(EXCEPTION : WATERLOO-WELLINGTON-  
KITCHENER)

Mr Arnott moved first reading of the following bill:

Bill 185, An Act to amend the Representation Act, 1996 / Projet de loi 185, Loi modifiant la Loi de 1996 sur la représentation électorale.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Ted Arnott (Waterloo-Wellington):** As all members are aware, at present the names of the provincial electoral districts, or ridings, are identical to those of the federal electoral districts. This bill proposes an exception to that rule in the case of my constituency of Waterloo-Wellington.

If passed, the name of the electoral district of Waterloo-Wellington would be changed to Waterloo-Wellington-Kitchener.

STATEMENTS BY THE MINISTRY  
AND RESPONSES

WORLD TEACHERS' DAY

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I am pleased to advise the House that Saturday, October 5 is World Teachers' Day, which is designated each year by UNESCO.

World Teachers' Day offers us the opportunity to reflect on the importance of teaching and to pay tribute to the contribution that committed and dedicated teachers make to our future. World Teachers' Day reminds us of the vital role that teachers play in motivating, inspiring and challenging young minds. It also reminds us that so many of society's greatest accomplishments occur because a teacher made a difference in the life of a student.

We ask a lot of our teachers—in fact, more than ever before. We ask teachers to equip students with the knowledge and skills they need for success in today's competitive global economy. We ask teachers to help our children develop the self-esteem and confidence they need to live productive and fulfilling lives as active and responsible citizens. We ask teachers to inspire in our young people a love of learning that will last a lifetime because, in today's changing world, the need for education never ends. We ask teachers to be educational leaders: to work closely with colleagues, parents, other professionals and members of the community to improve student learning.

Teachers need the active encouragement of the societies and communities they serve. That is why our government continues to take steps to support teachers and to ensure that both teachers and students have the resources they need for success. There are many things that go into a child's education. Offering children a challenging curriculum is an important part. Our government introduced a new standard curriculum that is allowing more students to succeed than ever before. High school literacy test scores are up under the new curriculum, as is Ontario's ranking in international test scores.

New resources are also important to ensuring a quality education. Again, our government has delivered. Premier Eves' first priority on taking office last April was the investment of an additional \$65 million for textbooks and learning resources for our students. That announcement was quickly followed by an additional \$25 million to expand the early reading program and to introduce a new early math program across the province.

School safety is yet another important part of a quality education and, once again, our government has responded decisively. We started with the Safe Schools Act and the Ontario schools code of conduct, and this spring we followed with the Student Protection Act.

But the single most important part of a quality education is the classroom experience itself. Stability in the classroom means qualified, dedicated and caring teachers who have the tools they need to help their students achieve their full potential.

This morning, I had the pleasure of visiting St Anthony's Catholic Elementary School in Toronto, and it was here that I announced our government's commitment of \$21 million on a series of wide-ranging initiatives to assist teachers in the classroom.

I also want to pay tribute at this time for the gift I received from the grade 1 students at St Anthony's, Miss McDonald's class. They had gone for a nature walk, and they had found two chestnuts. They made a decision that they would keep one, and I feel very honoured that they chose to present me with this gift of a chestnut, which I can tell you I will certainly cherish. But I think it's another indication of hard-working teachers working with enthusiastic students and learning about what happens in the fall.

This morning we committed \$5 million to ensure that a sufficient number of low-cost, easily accessible courses are available to teachers, principals and other administrators across the province. These funds will assist school boards in creating some 400 permanent courses for teachers as well as augmenting professional training for principals, vice-principals, supervisory officers and directors of education. Regardless of where they work in Ontario, teachers and education professionals will have access to these courses through distance learning.

We also provided \$5 million in funding to support teachers at 14 more schools to improve students' reading skills. This is part of Ontario's schools that need extra help program, which is linked with our early reading strategy. It will bring to 29 the total number of turn-



around schools that are being provided with extra help, schools located in such places as Moosonee, Fort Erie, Toronto and Kitchener.

Excellent teachers are critical to students' success. We want to support them by helping them with more effective early reading strategies and by providing the resources they need to help boost student success.

On another issue, in announcing this year's World Teachers' Day, UNESCO noted that many countries around the world are facing teacher shortages. In Ontario, our government has been working closely with our education partners, including the Ontario College of Teachers, the Ontario Teachers' Federation and the Ontario Association of Deans of Education, to address the challenge of this shortage and to renew the profession.

Since 1999, the government has been implementing a five-year, \$45-million plan to create more spaces at Ontario's faculties of education. The government is now funding 6,500 spaces. That's up 30% from 1998-99. Applications to the faculties of education in 2002 are up more than 21% over 2001, and the number of people accepting offers of admission to the consecutive teacher education program has increased by more than 2.8% this fall.

To further support effective teacher recruitment, I am pleased to announce an additional \$1 million in efforts to attract the best people to the profession, especially in fields such as math, science, technology and French.

Ontario parents have consistently told us they want to be assured that teachers are up to date in their knowledge and skills. For that reason, the government has taken a number of important steps to support teacher training and excellence. Each of these initiatives is designed to acknowledge teachers as professionals, to support them throughout their teaching careers and to help them improve student learning. As promised in our budget, we will be providing an additional \$10 million to assist school boards in developing professional learning resources to support and train our teachers.

We want to consult further with teachers and other education stakeholders in the coming months to make sure this funding will best serve our students and teachers. As a teacher, I know that they share the privilege and challenge of shaping the next generation of our citizens. Certainly the impact of teachers is a benefit to students throughout their lifetime. So we need to continue to provide support for teaching excellence in order to ensure that this province has the most successful students, taught by the most qualified teachers, in the country.

As World Teachers' Day approaches, I know that all of us in this House will want to join with me in thanking Ontario's teachers for their dedication and hard work and for the contribution they make to helping our students achieve their full potential.

Finally, in addition to this statement and to further recognize the commitment and dedication of Ontario's hard-working teachers, I am pleased to announce that a

proclamation is presently before the Lieutenant Governor of Ontario for his signature to proclaim October 5 as World Teachers' Day in Ontario.

1400

**The Speaker (Hon Gary Carr):** Responses?

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** It is indeed an honour for me to recognize World Teachers' Day on behalf of the Ontario Liberal Party and my leader, Dalton McGuinty.

**The Speaker:** Sorry. Apparently there was another statement. The minister didn't come up. I would look for unanimous consent to revert back. Agreed.

The minister, and then we'll start the time over again with the other member.

## WOMEN'S HISTORY MONTH

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** Thank you, Mr Speaker. That was my problem. I didn't think of asking for consent.

This is a very special occasion this month in October. Today I rise in the House to recognize October as Women's History Month in Canada.

This government has introduced a number of programs designed to provide new opportunities for women. Women in skilled trades is one that I will highlight at this time. It trains women to become apprentices in highly paid, skilled occupations in which they are traditionally under-represented. It's very difficult. It's a different world for women in the skilled trades. These are our pioneers and they will become our mentors. As more women gain a foothold in the skilled trades, they also lead the way for other women. I want to celebrate their great success and compliment their courage. They are our mentors and role models, and we are very pleased to recognize them especially during Women's History Month.

For more than 10 years, Canada has dedicated the month of October to honour and highlight the vital role of women in our history. Women's History Month is an excellent opportunity to recognize and celebrate women's many achievements. It's a time to reflect on how the world and society has changed for women. It is an opportunity to instill a sense of pride for all of us in our historical background.

I'm sure you especially relate to this year's theme, Mr Speaker, "Women and Sports—Champions Forever!", not just through your own history in sport but also that of your daughter. It's an opportunity to pay tribute to all of these young women, whether they're in kindergarten, elementary school, secondary school or on through our college and university training and our working environments. They are so committed to sport forever that we will pay tribute to all of Ontario's female athletes, but especially to our sports professionals and our heroes.

Women have made a significant contribution to sports in Ontario. We can thank them for some truly stunning moments in sports history. I am thinking of women like

Barbara Ann Scott of Ottawa, who thrilled all Canadians when she won Olympic gold for figure skating in 1948. There are some of us who actually remember who Barbara Ann Scott is. She's still very involved in our community.

And 16-year-old Marilyn Bell of Toronto. For those of us who grew up in this great city that was a very special evening. She kept most of us awake throughout the night as she finally landed on the shore of Lake Ontario in 1954 and created quite a sensation as the first person to swim across Lake Ontario.

This is actually fun for the men. It is Women's History Month, and look what these women have done to make men have more fun. You know who I'm talking to.

And Bobbie Rosenfeld—

**Mr Rosario Marchese (Trinity-Spadina):** Oh, oh.

**Hon Mrs Cunningham:** I wake up my colleague—outstanding Woman Athlete of the Half Century.

This is about sport, Rosario, and culture, women in sport.

In more recent years, many other women have joined them in outstanding sport achievements. More recently, women like Marnie McBean, winner of three Olympic gold medals, and two-time Olympic champion Catriona LeMay Doan. Have we ever had wonderful times during these wonderful contests with women in sport.

Remember how we shared in rower Silken Laumann's triumph at the 1996 Olympics, and cheered for gold-medal skier Nancy Greene and all-star peewee hockey player and track and field champion Abby Hoffman?

It would be remiss if I didn't remember the members of the Canadian women's hockey team, who showed the men how to do it by defeating the USA to win the gold medal in the Olympic Winter Games. Many of these formidable players are Ontario-born and bred. They put our guys under very serious pressure and they won. We're great role models.

Women in Ontario have been pursuing their vision of sport for many years, and Ontario is very proud of our many fine female athletes. This month affords us a chance to recognize their achievements and honour their remarkable record, and recognize their teachers and their coaches, whether they be in the classrooms and in our schools or whether they be volunteers and parents and relatives and neighbours. It's all part of recognizing our communities that come together and provide such terrific role models for women in our great country.

My colleagues, I invite you to share the message of Women's History Month with your own communities, in whichever way you feel would be most appropriate. I encourage you to get involved and celebrate the contributions made by female athletes and sports organizers in your own communities, women who provide important role models for other women and girls. Let us always celebrate our local heroes.

Mister Speaker, and all my colleagues, please join me in applauding the commitment and dedication of Ontario's women in sports.

## WORLD TEACHERS' DAY

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** It is a privilege for me to stand in the Legislature on behalf of my leader, Dalton McGuinty, and our education critic, Gerard Kennedy, and recognize World Teachers' Day. I think we are all aware that for our children and youth, outside of their families, teachers are probably the most significant individuals in their lives.

In my former role as a school board trustee and chair of the board, I had the very great pleasure of getting to know many teachers in our system. As a mother of four children, I again had other experiences getting to know teachers, and I have to say that I have always been so impressed with the dedication, with the commitment, with the love that these professionals have for the children and the youth that come to them every day, in a variety of shapes and sizes, with a variety of abilities. These men and women in schools, who look after and teach our young people, are truly committed, and we are blessed to have them.

I would say, however, there are some statements that have been made by the minister today that confound me, that perplex me somewhat, because there are some disturbing facts, and some facts that actually I pulled down from the Ministry of Education Web site. For example, one is that, compared to 1995, when the government took office, there are 80,000 more students but 3,000 fewer teachers today; 80,000 more students and yet 3,000 fewer teachers. That has an impact on the workload and what our teachers are able to do for the students who come to them.

Another very disturbing fact: in the year 2000, over 4,400 teachers left teaching in Ontario for reasons other than retirement. That's four times more than in previous years. In the year 2000, 622 young teachers graduating from Ontario schools left to teach in other jurisdictions.

Dalton McGuinty certainly recognizes the value of our teachers. He wants to support them. We have a plan to make sure they stay in our schools, because they truly are integral to quality education in the province. We salute the teachers of Ontario today.

1410

## WOMEN'S HISTORY MONTH

**Mrs Marie Bountrogianni (Hamilton Mountain):** Congratulations to my colleague Leona Dombrowsky for her words. I'm also pleased to rise in this House today and respond to the minister's statement on "Women and Sports—Champions Forever!" We certainly do have many wonderful athletes, male and female, that we can be proud of in Ontario.

I'd like to pay tribute to a local athlete, a Hamilton hero, Cecilia Carter Smith. She's a former international track star, retired teacher, freelance sports columnist and community activist. She has been appropriately described as nothing short of a force of nature. She's involved in



every local project. Her current passions are the World Cycling Championships coming to Hamilton next October, as well as bringing the 2010 Commonwealth Games back to Hamilton for their 80th anniversary. She's involved in this year's National Conference on Women, Sport and Physical Activity, which will be in Hamilton this November. On behalf of the Liberal caucus, I salute Cecilia and her tireless efforts.

The theme of women and sports also gives us an opportunity to reflect on the importance of sports in the lives of all of us, but particularly in young people's lives. A survey commissioned by the Canadian Centre for Ethics in Sport has found that while 92% of Canadians believe that community-level sport can be a positive influence on youth, one in five believes that not enough is being done. Local sports are a way to teach teamwork, commitment, hard work, excellence, fair play, courage to try new things, respect for others and honesty.

Unfortunately, Ontario's commitment to sport is the lowest rate of per-athlete and per-capita funding of any Canadian province. In Ontario, only 55 of 82 provincial sport organizations are eligible for government funding, which accounts for 21% of those budgets. Thanks to this government's education cutbacks, the physical education programs that exist are poor. Only 5% meet the minimal standards for physical activity.

Primary school children sit in classes about 26 hours a week and spend roughly the same time in front of a television set. This government's response to this challenge is to consider closing 85 community pools in Toronto, the largest city in the country.

More men than women are regular sports participants. The gender gap is particularly evident among teenagers 15 to 18 years of age. One third of Canadians are at risk for obesity. A better investment in recreation and sport will improve health, self-confidence and long-term wellness.

We salute our women athletes, but we acknowledge the need to do more to close the gap between genders in Canada.

Finally, we challenge the government to step up to the plate and, at the very least, fund athletes at the Canadian average.

#### WORLD TEACHERS' DAY

**Mr Rosario Marchese (Trinity-Spadina):** I just want to say to the Minister of Education that I'm a little bit hurt today. She knows that for two successive years—two years in a row—I introduced a private member's bill that would recognize World Teachers' Day. You rejected it, and all your members fought against it and said no. I didn't even get a note from her saying, "Rosario, this year we're going to proclaim World Teachers' Day today." Not even a note. I just don't get it.

Quite apart from that, Minister, I want to say that what you offer here today is a pittance to deal with a crisis that you—yes, you—and your friends have caused in the last seven years. It's a pittance. You know that 60% of boards

can't retain teachers—60% of boards. This is a deep problem. You know there's a massive teacher shortage across Ontario, and you know that after you denigrated them for years, booted them from one end of the room to the other, belittled them, it is not going to be much solace to them when you say, "We love you, teachers." It isn't, and you know that. Teachers are paying for essential supplies out of their own pockets, and you know that too.

You also know that boards are \$590 million short to be able to negotiate fair and satisfying settlements with their teachers. They don't have the money, and you know that. You admitted that in committee hearings.

Your announcements to support and improve student learning, 14 more schools—please, come on; there are 5,000 schools and you proudly say that 14 more schools are going to get some help to improve student learning. What about the other 4,000 schools?

Professional development days: the money to fund electronic learning is not going to go very far. Yes, it will help a couple of people, but you've got to restore professional development days for all the teachers so that they all benefit directly, hands on, in the classroom, and through Bill 160 you cancelled all that.

I've got to tell you, Minister, that what you should have announced today was some programs of teacher mentoring to help the new teachers coming in, of fixing the funding formula so we don't have more disruptions and strikes, and bringing back true respect to the profession. That's what I expected of you today.

#### WOMEN'S HISTORY MONTH

**Ms Marilyn Churley (Toronto-Danforth):** I want to congratulate, on behalf of the New Democratic caucus, all our female athletes and our champions and say how proud we all are of them.

I want to take this opportunity to urge the government to keep the 85 pools open in our schools. The minister mentioned Marilyn Bell, whom we're all so proud of. She mentioned she was the first person to swim across Lake Ontario. We're not going to have those kinds of champions again in this province unless you keep those pools open and refund the athletes' programs and other programs you've cut within schools.

I want to talk about another activity some would like to refer to as a sport, and that is politics. Women are still woefully under-represented, even though we are more than one half of the population, but only about one fifth of women—

*Interjections.*

**Ms Churley:** I'm talking about something important here. Only about one fifth are elected representatives. Here in Ontario, out of 103 members, we have only 17 women. In 1943 Agnes McPhail was one of two women elected to the Ontario Parliament, one of ours, a CCFer. Equal Voice has calculated that at the rate we're going it will take us another 123 years to achieve even 50% representation. We have an outmoded electoral system that disadvantages women, and that includes a system

where a leadership candidate has to raise or feels he has to raise up to \$3 million to even get elected.

I would urge all members to go and look up [equalvoice.ca](http://equalvoice.ca) and see for yourselves how outmoded our electoral system is and what we have to do to change it. I would urge people to also look at the NDP Web site and see our discussion document on proportional representation, which other jurisdictions are doing across the world, and it means that more visible minorities, more women, are elected to Parliament.

I would end by saying that we have come some distance when it comes to sports activities. I remember that when I was on city council I made a motion and got support for equal funding for female cycling races, because they weren't getting the same amount as men. I won that vote and actually got death threats over it. I think we've come a fair distance from that.

#### BRUCE McCaffrey

**Hon Norman W. Sterling (Minister of Transportation):** I seek unanimous consent to make a few remarks about Bruce McCaffrey, who recently passed away and was a former member of this Legislature.

**The Speaker (Hon Gary Carr):** Unanimous consent? Agreed.

**Hon Mr Sterling:** Bruce McCaffrey was the member for Armourdale, which was a riding up near the 401 in Toronto, near Avenue Road. Bruce was first elected in 1977, the same time Jim Bradley and I were first elected, and was a member of this Legislature until 1987.

Bruce passed away on August 9, after a very, very short illness, at the age of 63. For many of us who knew Bruce it was really an early and untimely death, particularly for Mr Conway and myself, who consistently and constantly kept in communication with Bruce after he left this Legislature. It was a very, very sad time for us.

I first met Bruce on a campaign bus during the 1977 campaign and happened to occupy the seat with him when all the candidates for our party came down to Toronto for a common event. That event was the Brampton Charter—it was nicknamed that—which was not really a hugely successful campaign endeavour.

1420

I can never forget sitting beside Bruce. I had never seen a candidate who looked more whipped and beaten in terms of having campaigned as hard as Bruce did. He informed me that he had just spent about two days sleeping, almost on a 24-hour basis, because of the effort he had been putting out in going door-to-door around Armourdale. That was sort of an ominous indication of how Bruce approached life. Bruce approached life in that he was never half-baked about anything. He was 100% into all his endeavours.

He started out as a high school teacher, then went into the investment business, then became a member of this Legislature, as I mentioned, from 1977 to 1987, and then went back into the investment business. Eventually he ended up teaching history at the University of Western

Ontario. So he really went from a teaching position back to a teaching position. He really had, at the end, as Mr Conway no doubt will remark, reached a great deal of satisfaction and happiness in his studies of history. He really, truly loved history and was very much involved in educational issues while he was here, although he never served as Minister of Education.

Not only did I meet Bruce for the first time in 1977 on the bus, but when we were first seated in this Legislature, I was seated right beside Bruce. After the 1981 election, in which we both won re-election, both Bruce and I were sworn into the cabinet as ministers without portfolio in the Bill Davis cabinet. Then I was elevated to become Provincial Secretary for Justice and he was sworn in as Provincial Secretary for Social Development—we don't have those positions now. We did this in tandem, and again I found myself sitting beside Bruce as a cabinet minister.

We became fast and good friends, and I really got to know the man. As I said, he really was 100% into everything he did, and he worked really hard, both as a minister and for the people he represented. In a lot of ways, he was not what you would see as a politician. He wasn't really—I won't say he wasn't outspoken, because he was outspoken at certain times, and in a very amusing way. He could make statements that no member of this Legislature could get away with. He could say some of the most astounding—I don't know how to describe the other part of the English language he would use from time to time, but he could get away with a great deal in terms of both private and public conversations.

I term him somewhat as a character in this place. In the present-day scheme of things, I guess you would probably picture a guy like John Snobelen as the closest thing we have to Bruce. Bruce would often show up in this place in jeans or very casual wear, or he might turn up in a tie. You just didn't know when or how or where he was going to come from and go.

During this period of time, he had family difficulties, in terms of being here and in the nature of his character. But one of the most outstanding things he did have was a huge love for his two children, Ryan and Shawna, whom I got to know quite well and still know quite well. Whenever Bruce and I would talk over the last 15 years, since he was a member here, which was sort of on a monthly basis, the first part of the conversation would always be about our children, because he took a great interest in both Sara and Ian, my two children, as well. We would talk about our kids and the problems both of us were having in terms of settling our kids and those kinds of things.

But at his memorial service and funeral, his children spoke of just the tremendous trust, the tremendous love they had for their dad. After, at the reception, when I talked to so many of his friends from the Toronto area, it was so evident that the character I saw here during his period as a legislator was also true before and after his service here. That sort of offhanded and very friendly manner that he portrayed here in the Legislature was felt



by everyone who came into association and knew Bruce during his lifetime.

Bruce took a tremendous interest in the education area, as I mentioned earlier. I can remember Bill Davis sending him out to different jurisdictions as sort of an emissary to try to find solutions to some of the educational problems we had at that time. I think he was appointed as the first Minister of Citizenship and Culture in the province. That portfolio was created at that particular time, and I think that's where he finished as a cabinet minister in 1985.

A strong supporter of Larry Grossman, Bruce represented a strong constituency and the Jewish community was a significant part of that. He spoke eloquently and often on their behalf in terms of his representation, both here in the Legislature and in cabinet as well.

On my 25th anniversary, when Jim and I were celebrating this last June, I talked about somebody who had been here as well for 25 years, and that was Barb Colantonio. That's how I got to know Barb and how close that community became because Barb came with Bruce to this place. She was his first assistant and worked with Bruce so long. Barb and Bruce were tremendously close. They were very supportive of each other during all of their lifetime. I know Barb misses Bruce very much, as I do.

In about 1982-83, one of the journalists here did an informal poll among other members of the Legislature. I don't know why this poll was done, but it was done in an informal way. They asked who were the most popular members of the Legislature, and Bruce was one of those members. Actually Mr Conway was the other member. They had taken one from the government side, and Bruce was from the government side in Toronto. Sean was from the—

**Hon Brad Clark (Minister of Labour):** It was a skewed poll.

**Hon Mr Sterling:** We could talk about the skewed for Sean, but it wasn't for Bruce.

People like Bruce added nothing but class and dedication to this Legislature. His dad, whose name is Clarence McCaffrey but goes by "Mac," will no doubt get a tape of this. He is living in South Porcupine where Bruce was born. He was so proud of him and survives Bruce. He's also survived by three grandchildren, Dallas, Clea and Rusty.

Not only do I miss Bruce very greatly as a wonderful friend, I liked him very much. He was intelligent. He was modest in terms of trying to hog the political limelight. He was very dedicated to what he was doing. What he would try to do for the people of Ontario and the people of Armourdale was to improve their life every day, and he no doubt did it, because he was very effective in his arguments, outspoken, and wore his heart on his sleeve. You never had to guess too far about where he was positioning himself.

But I really feel that he was one of the outstanding members of the Legislature that I've known here in 25 years and I'll really miss Bruce. I miss his candour. He

left this place in 1987, and I'm very unhappy that he died at such an early age. All I can say on behalf of the Progressive Conservative Party is that he served his party loyally, and he not only took an active part in the party when he was an MPP, but he did that before he was a member and after.

To Shawna and Ryan, his two kids, you had a great dad to be proud of, and we'll all miss Bruce very much.

**1430**

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** I remember it so very well. It was the summer of 1977. There had been a general election that produced a rather surprising result, since we in the opposition thought a Davis majority government was guaranteed. It didn't turn out that way. One of the new members elected on June 9 was my friend Bradley, who got elected as a Liberal, though you couldn't find the word "Liberal" on any of the literature.

But the fraternal twins of the Tory caucus of 1977 were Bruce McCaffrey and Norm Sterling. They were fraternal because it seemed where you saw the one, the other was always nearby. If Norm represented virtue, then Bruce represented energy, and Bruce was not always likely to subscribe to the kind of virtue which Norm was so quick to advertise and talk to you about, particularly having to do with tobacco, as I recall.

One of the memories I have—in fact today, as I thought about these remarks, I went to a place where I have not been in a long time, and I will say to many of the new members that you've probably never been there. But there is in the basement of the north wing of this building a big room. When I was elected in 1975, that was a bar; there was a legislative bar in the bottom of the north wing where you could find many of our colleagues busily occupied with public business at noon, in the afternoon and in the evening. One of the first times I remember Bruce McCaffrey was when Bruce and his fraternal twin were down there, and they had brought about the installation of a shower because, Bruce said, "There are too many people around here getting fat on the job. We've got to keep up a good fitness regime." I think Bruce McCaffrey and his friend Sterling deserved a lot of credit because they caused a minor appropriation of legislative monies to be spent to build a shower so that McCaffrey and Sterling could go running in the park at noon hour and walk by those of us drinking in the bar underneath the north wing to show us a good example.

Bruce had an energy level that was quite remarkable. When I think of Bruce, his features were in some respects aquiline; his manner was engaging and sometimes very aggressive. You had to be here to see Bruce engaging Dr Bette Stephenson on the matter of the Davis government education policy. I mean, Frazier and Ali had nothing on some of those contests. Bruce, as Norm Sterling rightly said, could express himself in a lexicon and in a language that was colourful, to say the very least. It was really ironic that Bruce McCaffrey, investment broker, high school teacher, began his ministerial life as the Minister of Culture, and that he was for a

couple of years in the early 1980s. I remember dealing with Bruce on the famous McMichael gallery issue of 1981-1983. Let me tell you that Bruce, a proud son of South Porcupine, though he grew up in Toronto, never lost his northern roots. He told me many times in retirement how he had been back up to the Timmins area. He talked about taking his father back to South Porcupine, where his dad resides to this day. I'll tell you, Bruce was able to frame some of the culture questions in language and phrases that I had not ever heard before or since.

I want to say one thing, because Bruce was a really good guy, and Norm rightly observed, for the new members, particularly the government members, if you want to get a measure of Bruce McCaffrey, all you need to know is Barb Colantonio, because where you saw one, you saw the other. There has to be a heaven, because Barb did more good things for Bruce and his friends than she can ever be thanked for. She even joined Bruce, I think, in the odd cigarette in this place, which violated the sterling code of no smoking.

It was Bruce in retirement that I wanted to end with, because when Bruce left, voluntarily in 1987, he told me, "Do you know one of the things I want to do? I have always wanted to do graduate work in history." I thought, "Well, you know, he's just saying that because he just wants to think about it." Not many years later, I got a phone call from him and he said, "When are you coming down to my class?" Bruce had an undergraduate degree from the University of Toronto, but he went to Western and, in his mid-to-late 50s, enrolled first in a master's program and later in a doctoral program. I want to say to the member for London North-Centre, the minister of higher education, Western never had a more enthusiastic, hard-working, peripatetic graduate student in its long and distinguished life. In fact, just this past spring I remember going down and Bruce was describing his doctoral program in some detail.

To all of us who will someday leave this place—and this now means a little more to me than it did a few months ago—there was, for me, no better model of a truly successful retirement from a full and active business and political life than what Bruce McCaffrey accomplished in the last decade of his life at the University of Western Ontario. Bruce was a wonderful guy, certainly no saint, but a wonderful member of this Legislature. I believe absolutely that poll that our friend the minister just cited. To know Bruce was to like him and to like him a lot. He was lively, he was personable, he was strong-willed in his views, and he had strong views—not just about education, but about financial services, about rent control—and he would tell you, the opposition, you, the Premier, and you, the members of the Legislature, in public how strongly he felt and where he thought government policy was perhaps not exactly where he'd like it to be. He was, in many important respects, a model member of this Legislature.

But, for me, he was a great friend. I was shocked beyond belief to come back from my holiday in France and to read in the *Globe and Mail* that he had died,

because I had been with him just weeks before. I will never get out of my mind the image that he presented late this spring when we chatted about doing some things together in London this fall.

To his family, to Barb and to all his friends, we mourn his passing, but we remember his legacy, which is a very significant one.

**Mr Peter Kormos (Niagara Centre):** I am very honoured to speak for New Democrats as we join in this tribute to Bruce McCaffrey. I speak not only on behalf of this NDP caucus here and now but on behalf of New Democrats who served in this Legislature with Mr McCaffrey. One of them, of course—and I spoke with him—being Mel Swart. Mel, I want to tell you very specifically, asked me to express his personal sympathies to Mr McCaffrey's family, to his friends and to his community. Mel, I tell you, recalled Mr McCaffrey with fondness, with admiration and, yes, respect.

1440

The descriptions of McCaffrey are consistent and they speak to qualities that sometimes some of us view as scarce. Bruce McCaffrey is spoken of as honest, outspoken and smart, and quite fearless in his approach to issues, quite fearless in his approach to his role as a member of the provincial Legislature.

I read what Lorrie Goldstein, then a columnist, had to say about Mr McCaffrey back in 1985, shortly before Mr McCaffrey indicated he wasn't going to be seeking re-election. Lorrie Goldstein wrote that he, Bruce McCaffrey, "has always belonged to that handful of politicians at Queen's Park,"—but a handful—"the NDP's Richard Johnston and the Liberals' John Sweeney are others, who always wear their hearts on their sleeves, even when it lands them in hot water.

"You can disagree with McCaffrey.

"I often do.

"But there is just no questioning his sincerity."

Where I come from, you couldn't expect or ask for anything more in an elected member of this Legislature. That quality is compounded. A later newspaper article, which reports Mr McCaffrey's announcement that he won't be seeking re-election—and let's observe this: Mr McCaffrey served longer than many in this Legislature, but certainly not as long as some. Mr McCaffrey, after some eight or nine years of service in this Parliament, rather than clinging to the job, acknowledged that he had given as much as he felt he could during that almost a decade of provincial service, and indicated quite candidly with a candour that is, oh, so rare, that he had just lost some of his enthusiasm. In view of that, he saw it as appropriate to move aside, move on to equally grand tasks, as described by Mr Conway, but to create an opportunity for his successor. That 1986 article speaks of Mr McCaffrey as having been one of the most plain-spoken of provincial politicians, a characteristic that often landed him in hot water.

I've got a feeling that I would have very much enjoyed Mr McCaffrey. I've got a feeling that the admiration that's been expressed for him, not just by current mem-



bers of this Legislature but by some of my colleagues who served with him who are no longer in the assembly, was well-earned, well-deserved by Mr McCaffrey.

We New Democrats join every member of this assembly in applauding Mr McCaffrey's tremendous contribution to public service in this province, his contribution to this Legislature and the legislative process. We express our sincere sympathies to his family, to his friends, yes, and to that community of his which extended far beyond Armourdale through into the academic world to, I'm sure, by the time his academic career was over, the thousands of young people's lives he touched in the most positive way. Our sincere sympathies to all of them.

**The Speaker:** I thank all the members for the kind words, and I will ensure that copies of the Hansard are sent out to the family.

## ORAL QUESTIONS

### MINISTERIAL CONDUCT

**Mrs Sandra Papatello (Windsor West):** My question today is for the Premier. Yesterday, Tourism Minister Cam Jackson resigned. A number of your ministers abused taxpayers' money just like Minister Jackson. Minister Hudak expensed beer and his fishing licence. Minister Stockwell expensed 44 bar tabs after midnight. Today you stated, this morning, on a radio talk show that Jackson withheld information from you about the size of the expenses. This morning you claimed that Jackson only told you about \$53,000 of expenses, not the \$103,000 we reported to you yesterday in this House.

My question for you is simple, Premier. Why did you accept his resignation? Was it because you thought his spending was inappropriate or was it because he hid the real cost of his spending?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I accepted Mr Jackson's resignation. Obviously he thought some of the expenses were inappropriate or he wouldn't have submitted his resignation to me. We all have to try to hold ourselves to the highest standard possible when expending taxpayers' money.

**Mrs Papatello:** We believe also that telling the truth is the cornerstone of ethical behaviour. If Minister Jackson misled you about the extent of his expenses, that would be unethical behaviour.

This is a news article from March 1, 1997, and I'll quote from it. It says, "Finance Minister Ernie Eves who boasted about his own frugality as well as his government's, has understated some of his biggest expenditures, according to ministerial records. The spending records, obtained under the Freedom of Information Act, show that"—tens of—"thousands of dollars in bills incurred by Mr Eves were paid by his two senior aides and claimed on their expense forms. Mr Eves has said previously that his own expense forms contain all his spending."

**The Speaker (Hon Gary Carr):** Question.

**Mrs Papatello:** Given your decision to accept Mr Jackson's resignation for similar behaviour, Premier, do you think that this description just now is ethical behaviour for a minister?

**Hon Mr Eves:** The honourable member will know that my expenses between June 1995 and February 2001 have been FOI-ed. To save everybody the wait to get the information and save you the expense of binding them up, my total expenses were—and this includes members of my staff, I believe—\$104,111.42 over six years, made up of \$85,161.98 for travel and \$18,949.44 for accommodation and meals over a six-year period of time. That would average out to something less than \$15,000 a year and, I might say, is very comparable to members of all three political parties when they were finance minister for this province.

**Mrs Papatello:** Premier, the truth came out about Minister Jackson's expenses because he submitted receipts. When we requested the freedom of information, we could actually see the receipts. The receipts showed in-room movies, beer, valet parking. Submitting receipts appears to be a key part of the ethical minister's expenses. If only some or no receipts are submitted, no one knows what the minister is spending and certainly not what it's being spent on.

Here's another news report, from December 16, 1996, and I'll just read a brief paragraph, "Although Finance Minister Ernie Eves portrays his management of the public purse as having businesslike standards, his staff follow one major departure from normal practice in the private sector: they do not attach receipts for his expenses."

It goes on to say that it was done to keep the places you were going—

**The Speaker:** Question.

**Mrs Papatello:**—what you were eating and what you were drinking a secret. Premier, is this ethical behaviour for a minister?

**Hon Mr Eves:** The honourable member can wait until she gets the FOI receipts and expenses she has requested with respect to my behaviour for six years. I will certainly stand behind them. I'd be more than willing to compare them to those of Robert Nixon, Floyd Laughren and other finance ministers in this place. I don't believe you will find any alcoholic beverages that were paid for on my behalf submitted in receipts that I submitted by the taxpayers of Ontario.

There is a standard that I think we all in this place must hold ourselves to. Certainly incidents like the one yesterday with respect to Mr Jackson not only deal directly with Mr Jackson, but I believe they deal with every single member of the Legislature. There are some members of the Legislature whose receipts are not FOI-able, such as the leader of the official opposition and the leader of the third party.

**The Speaker:** New question.

**Mrs Papatello:** With all due respect, this second question is also to the Premier. The whole point of the first question was to suggest that this Premier, as finance

minister in this province, had a record of including some but not all receipts, so that what he tells us in this House cannot be proven, and freedom of information records prove this.

You said on a radio talk show this morning that you've adopted a new standard since you became Premier, since April. You suggested to people on the airwaves this morning that you are adopting a new standard. When exactly did you adopt a new standard?

1450

**Hon Mr Eves:** What I said on the radio this morning, if she was listening, was that on June 7 this year I asked the Chair of Management Board to come out with new guidelines for ministerial expenditures in this province, because I believe the existing ones are somewhat grey in their interpretation. Obviously, if we have even one example of a minister who didn't know what he or she could or could not charge, I think it's appropriate to try to develop better guidelines that will be clear and understandable. That is what we are endeavouring to do. I expect the Chair of Management Board will have those on my desk in short order so that we'll be able to go over them.

**Mrs Papatello:** This new standard seems to be news to everyone. It seems to be news to your Management Board Chair as well. This is what he said yesterday to reporters outside, under questioning about to whom the guidelines are supposed to apply, including the minister who's supposed to be writing your new rules. Listen to what Minister Tsubouchi said yesterday: "Supervise yourself." That does not sound like rules. It doesn't sound like new rules. It sounds like there are no new rules.

The truth is that you're making policy on the fly. Yesterday the spotlight was on you to answer for behaviour that occurred before you even became Premier. Now, when you're blatantly responsible for a response, you're making a swift, fast decision for one minister but not all, including yourself. Is it not true that you're just making policy decisions on the fly when the spotlight is on you? You had ample time to try to resolve these issues within your cabinet, and you did not show the leadership required to see that your ministers were following rules.

**Hon Mr Eves:** Would that we all could be as great as the member opposite and as flawless as she is in her endeavours.

I don't think expenses of the deputy leader of the official opposition are subject to FOI either. You might want to let the taxpayers of Ontario know how much you spent to bind up the volumes on Minister Jackson and the many copies you made and who paid for that and how it was paid for. You might want to reveal the expenses of your leader, which are not FOI-able.

*Interjections.*

**Hon Mr Eves:** I think I've got their attention over there.

I'm sure that as we go forward and develop these new rules, the leader of the official opposition and the leader of the third party will do the right thing for the people of

Ontario and make known their expenses for the last six years as well.

**Mrs Papatello:** Perhaps our Premier needs to see the kind of reports that are tabled in this House on behalf of all MPPs.

This is my final supplementary to the Premier. In a letter that was dated the end of July to one of our members, the MPP for Sarnia-Lambton, seeking clarification of expenses of cabinet, here's what your Management Board Chair had to say: "It's important to observe at the outset directives of the Management Board of Cabinet, including travel management and general expenses directives, apply to ministries and employees of ministries. Ministers of the crown, of course, are not employees and the directives do not apply to ministers. This, of course, has always been the case." So the truth is he has no new guidelines, he hasn't had guidelines and apparently, under Management Board, which you've now told to write guidelines, they never existed before.

How are ministers supposed to take your lead when your lead is an abysmal track record? You have a history of not submitting a full list of receipts, and your own history suggests you can hardly be charging—

**The Speaker:** The member's time is up.

**Hon Mr Eves:** That is simply not an accurate statement. The ministers' guidelines do exist. They're right here. The OPS guidelines also exist, which are right here. The ministers' guidelines and the ministers' handbook actually refer to the OPS guidelines. So what she said just now is totally inaccurate. I'll leave it for others to determine why she would make a totally inaccurate statement with respect to the existence of ministers' guidelines.

## GOVERNMENT'S RECORD

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. Your former cabinet minister Cam Jackson spent more public money at the Yorkville Hyatt hotel in two days than a person working at Swiss Chalet gets paid in a week. Meanwhile, hard-working people in Wawa can't afford to pay their hydro bills, and natural gas consumers across the province are hit with \$100 retroactive gas bills.

Premier, while your cabinet ministers spend thousands of dollars in public money at Toronto's finest steakhouses, what are you going to do to help those people hit with sky-high hydro bills? What are you going to do to help those people who have been hit with retroactive natural gas bills?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** First of all, I indicated this morning in response to several questions that I believe the operational mandate of the Ontario Energy Board needs to be reviewed. I think the rules and procedures under which they operate, especially in light of the market opening with respect to electricity prices, need to be reviewed. I think the mandate with respect to retroactivity with respect to utilities such as Union Gas and how far they



can go back and how far people get in the future to pay an unbilling needs to be reviewed as well.

**Mr Hampton:** Well, Premier, let me ask you this. I think more than a review is required. It's your government's policy with respect to Hydro privatization and deregulation that's driven the hydro bills up. It's your government's rules that allow retroactive billing in terms of natural gas and other utilities. So more than a review is required; some change is required. Admit that Hydro privatization and deregulation isn't working. Admit that retroactive billing shouldn't be allowed.

But your cabinet minister's spending habits bring up another point, Premier. While Minister Jackson was spending so much money at steakhouses and hotels, I'm reminded that your government has frozen the minimum wage for seven years. While you believe that cabinet ministers should get a \$40,000-a-year increase, someone working full-time on minimum wage doesn't even receive \$15,000 a year. So while you are looking after your cabinet ministers, do you think you could raise the minimum wage, after seven years, to give the lowest-paid workers in Ontario a break?

**Hon Mr Eves:** Our government's policies, as he refers to, have also led to the creation of 955,400 new jobs in the province of Ontario since June 1995. Our government's policies have also led to tax savings for more moderate-income earners in the province of Ontario; for example, a one-income-earner couple, two kids, \$30,000 net income, a tax savings of \$132 a month to date, to be increased by another \$45 a month in the not too distant future; a single parent with one kid, \$40,000 of net income, \$118 in tax savings a month, with an additional \$145 to come; a senior couple, \$50,000 net income, \$108 a month—and we can go on, if you want, in your supplementary and give you other examples of what our government has done for moderate-income earners in the province of Ontario.

**Mr Hampton:** For all those people out there who have had their wages frozen for seven years by your government, the lowest-paid workers in the province, this is certainly an expression of generosity on your part, Premier: \$40,000 increases for cabinet ministers who spend money, public money, like it doesn't matter, and you tell minimum-wage workers that they should accept a continuing wage freeze.

This leads us into another issue. We've watched over the last two years the Nortel scandal, the Enron scandal, where corporate executives that you would know have lined their pockets with millions of dollars. Meanwhile, pensioners have watched their pensions and their life savings dwindle.

1500

Today I was joined by Alexa McDonough to make the point that those people who put their money into RRSPs and pension plans deserve greater protection, greater accounting protection and greater securities protection. Premier, will you admit today that Ontario's securities laws and accountancy laws are far behind and that they

need to be improved and toughened, and will you commit to do that to protect people's pensions?

**Hon Mr Eves:** I believe the Minister of Finance indicated yesterday that such changes in the laws are forthcoming. But I want to say at the outset, before we talk about that any longer, and perhaps in your next question you want to go into it further, that the Ontario Securities Commission already has in place regulations, such as disclosure requirements, that are more stringent in many instances than they are in the States.

Having said that, I think that is not enough and that we have to proceed to further strengthen those. David Brown, the head of the Ontario Securities Commission, and his counterparts across Canada for that matter, are doing exactly that. The Minister of Finance will be coming forward with regulation and legislation changes to do exactly what you're suggesting.

## HYDRO RATES

**Mr Howard Hampton (Kenora-Rainy River):** I look forward to seeing the proposed changes and regulation tightening.

Today we learned that Gene Preston, the chief nuclear officer at Ontario Power Generation, has retired, we're told, without bringing Pickering nuclear generating station back to service. Mr Preston was being paid \$1.2 million a year. Not bad for someone who has presided over a project that is over \$1 billion over budget and one year behind schedule. Meanwhile, Mr Preston's boss, Ron Osborne, has pocketed a bonus of \$750,000 on top of his generous salary. This must be the free market discipline you talk about, Premier: rewarding chronic failure with fat bonuses and bloated salaries. Why are you paying Ron Osborne a fat bonus when the company he heads has performed so poorly?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I'll be happy to look into the particulars with respect to the retirement of the individual you talk about, Mr Preston. The Minister of Energy is not present today, but I'd be happy to obtain that information from him and respond to you at a later date.

**Mr Hampton:** While you're checking into it and while you're looking into this issue of accountability, you might want to note that Mr Osborne is paid three times what the chief executive of Hydro-Québec is paid and more than three times what the chief executive at Manitoba Hydro is paid. They aren't jacking up people's hydro rates to the tune of 60% and 70% and they aren't running billion-dollar-over-budget projects that are years behind. Premier, what don't you get about this? You're jacking up people's hydro bills. You're paying million-dollar bonuses to chief executives who either can't do their job or haven't done their job. When are you going to admit that your hydro privatization and deregulation strategy, no matter how you measure it, is putting the screws to consumers and putting money in the pockets of your corporate friends? That's the problem.

**Hon Mr Eves:** I am not raising any rates, to start with. With respect to OPG and Mr Osborne and other executives at OPG for that matter—

**Mr George Smitherman (Toronto Centre-Rosedale):** I had no option.

**Hon Mr Eves:** You're no Brian Mulroney, George Smitherman, I can tell you that. You're no John Turner either.

To the leader of the third party, I asked the previous Minister of Energy this summer to conduct a review of all executive compensation at OPG, as we have done at Hydro One, and I look forward to receiving that review from the current Minister of Energy in the near future.

**The Speaker (Hon Gary Carr):** New question?

**Mr Michael Bryant (St Paul's):** A question for the Premier: Premier, you owe the people of Ontario some money. That's right; you owe the people of Ontario some money by way of a rebate that may add up to some billion dollars, a hydro electricity rebate. It's the people's money. It's their money, not yours to play with. Why won't you give Ontarians their hydro electricity rebate now?

**Hon Mr Eves:** With respect to rebates from OPG, if that is what he is referring to, charges over 3.8 cents a kilowatt hour, I indicated this morning that I expect the rebate program to be as advertised by OPG and I expect the people of Ontario to be entitled to their rebates.

**Mr Bryant:** So you're going to retreat on your plans to reduce the rebate by 20%. You're going to pay the people of Ontario the money that you owe them. You're not going to rip the people of Ontario off by some \$200 million. Oh, thanks, Premier. Super. Thanks a lot.

But the people of Ontario need the rebate now. People cannot afford to pay their hydro bills. People can't afford to pay them now. They can't wait 12 months for your rebate. They can't wait for you to use it, perchance, as a pre-election goody. They can't wait for you to give it to them as a Christmas present. Dalton McGuinty and Ontario Liberals are saying to you that you need to roll out the rebate to compensate consumers for Herculean hydro prices. Roll out the rebate. Roll it out now.

**Hon Mr Eves:** I know grandstanding and flowery speech and appearing on TV is your strength, or so you think. You might want to explain to those people on TV right now why you voted against every one of 199 tax decreases to the people of the province of Ontario; why you did not support and don't support, for example, a two-earner couple, two kids, \$60,000 net income—why do you not want their taxes reduced, which they are now, by \$167 a month, every month for the last few years, and go on ad infinitum?

**Mr Gerry Phillips (Scarborough-Agincourt):** You can't answer the question.

**Hon Mr Eves:** I say to the honourable member for Scarborough-Agincourt—he's a little touchy on this—he doesn't want those people to get that \$167-a-month tax reduction either—month in, month out, now, forever. What have you got against those modest-income earners

in the province of Ontario getting thousands of dollars in tax rebates every single year as we go forward?

## MOTORCYCLE GANGS

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** My question is for the Minister of Public Safety and Security. Minister, last Friday the 13th provided great weather for the traditional biker run to Port Dover. In addition to thousands of lawful bikers, outlaw motorcycle gang members from both the Outlaws and the Hells Angels set up shop. This caused concern for many area residents, myself included.

I understand that late last week an OPP blitz resulted in a significant number of charges against members of this province's second-largest motorcycle gang, the Outlaws. Could you please tell my constituents and members of this Legislature what results were seen from this police action?

**Hon Robert W. Runciman (Minister of Public Safety and Security):** I want to thank the honourable member for the question and his interest in this issue. As members are aware, this government is strongly committed to a strategy of putting organized criminal groups such as the Outlaws motorcycle gang in Ontario out of business.

As a result of the actions taken by the provincial biker enforcement unit on September 25, approximately 65% of the Outlaws total gang membership has been arrested. Over the course of the investigation, and as a result—

*Interjections.*

**The Speaker (Hon Gary Carr):** Sorry, Minister, for the interruption. The member for Windsor West, come to order, please.

Sorry for the interruption, Minister. Please continue.

**Hon Mr Runciman:** This is a result of Project Retire, which was a three-year investigation. Over the course of the investigation and as a result of the raid, 32 stolen motorcycles, one stolen trailer and three stolen pickup trucks were purchased and seized, along with 44 firearms, which included an AK-47 rifle and a MAC-10 machine gun. As well, approximately \$1.6 million of drugs, including cocaine and ecstasy, were seized. Thanks to the hard work of the biker enforcement unit—

**The Speaker:** I'm afraid the minister's time is up.

1510

**Mr Barrett:** It is important to send a message to gangs that organized crime will not be tolerated in Ontario. What you've just told us is a good start, and I understand this was one of the most significant crack-downs on outlaw biker gangs in Ontario.

Further initiatives: where do we go from here to further handcuff motorcycle crime?

*Interjections.*

**The Speaker:** I don't know if the member for Windsor West has any more questions, but if she keeps it up she won't have a chance to ask them. It's your last warning today. If I have to stand up again for you, you're going to be named.



I apologize to the member for the interruption.

**Mr Barrett:** Very simply, where do we go from here? More specifically, I'm thinking of Hells Angels. As we know, it's the most powerful biker gang in the world, and regrettably they arrived in Ontario two years ago.

**Hon Mr Runciman:** It's very important to our government that biker gangs are a growing threat in Ontario. They're involved in many types of criminal activities, such as prostitution, racketeering, smuggling and murder. It's not hard to tell just how dangerous these people are. As such, reining in these criminal groups has been one of our top priorities.

Our government has invested over \$125 million to fight organized crime since 1995. In 1998 we formed the biker enforcement unit, and in August this year we invested another \$3 million to double the size of the unit. It now has representatives from 17 municipal police services, the RCMP and the OPP. Last year almost 1,500 occurrences were investigated and 444 Criminal Code charges laid. The government has always taken justice issues seriously and will continue to do so in the future.

#### NATURAL GAS RATES

**Mr Dwight Duncan (Windsor-St Clair):** I have a question for the Premier, and it relates to his comments this morning on CFRB radio.

I didn't hear the actual comments with respect to Union Gas, but the media reports indicate that you were frustrated with the retroactive increases being charged to 1.5 million customers across the province, and it seemed at one point that you support the notion that that should not be allowed to happen. Subsequently, you did go on to say that at the very least the payback period should be extended for two years, as opposed to right away.

Is it your opinion that the OEB should not have allowed this retroactive increase, and if it is your opinion, do you intend to direct them to repeal that decision under the Ontario Energy Board Act?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** It would seem reasonable to me that if a body is going to decide that because somebody has been under-billed for a period of time, whatever that period of time happens to be—if it's a year, it's a year; if it's two years, it's two years—it would be a fair and equitable thing to allow the individual who was under-billed to recapture that money, if it's going to be allowed in the decision of the independent body, over a similar or same period of time.

**Mr Duncan:** No other gas company in the province, including Enbridge, which has many more customers, has had to apply for a retroactive increase. Having read the decision, arguably it's hard to see where they're out money in this case. It's the opinion of the official opposition—we asked the Minister of Energy this question 10 days ago—that your government, under an amendment to the act that the Harris government put forward, can intervene with the OEB on a policy matter of this nature to, in fact, not allow this increase. Section

27.1 of the act permits the Lieutenant Governor in Council—that is, the cabinet—to order a review of this policy and this decision. Will you do that, Premier?

It is patently unfair in our view that a corporation, in this case Duke Energy, with \$1.8 billion in profit last year as reported in their filings with the New York Stock Exchange and their official corporate reports and US\$400 million in profits for the first six months of this year according to their filings with the Securities and Exchange Commission—will you use the power that you have now to order the Ontario Energy Board to not allow this very unfair retroactive price increase?

**Hon Mr Eves:** First of all, I'm not here to defend Duke Energy or any company. I don't see what earnings in the States have to do with—

**Mr James J. Bradley (St Catharines):** They own—

**Hon Mr Eves:** I know that. I understand that, but the money that is earned elsewhere outside of the country, outside of Union Gas, surely has nothing to do with Union Gas. Having said that, I think the honourable member makes a good point. I am certainly prepared to discuss the matter with the Minister of Energy and look into what we can do.

#### DOMESTIC VIOLENCE

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** My question is to the Minister of Citizenship. The constituents of my riding of Bramalea-Gore-Malton-Springdale and I noticed with interest yesterday's announcement of \$2.2 million in provincial funding to help victims of domestic violence who need the assistance of a language interpreter.

This announcement is an important investment in a vital program. Minister, I welcome many individuals in my riding who are newcomers to Canada and, more specifically, to Ontario. How is this investment going to help victims of domestic violence who have difficulty speaking English?

**Hon Carl DeFaria (Minister of Citizenship, minister responsible for seniors):** I thank the member for the question. Indeed, the cultural interpreters program for victims of domestic violence is a very important program for Ontarians and in particular for Ontario's diverse communities.

The \$2.2-million grant specifically provides for language interpreter services that enable non-English-speaking victims of domestic violence to have access to shelters, social services, health care and legal services. These services are provided through 11 organizations across Ontario, enabling clients to get the services needed to access the domestic violence courts in Ontario.

Last year the program served more than 3,000 victims of domestic violence, an increase of 28% from the previous year. This program is one of the many ways our government is supporting victims of domestic violence in Ontario.

**Mr Gill:** Minister, domestic violence is a serious crime and societal problem that can only be addressed in

a broad-based, co-operative way for all communities affected.

How does this initiative fit into our government's larger, overall domestic violence strategy?

**Hon Mr DeFaria:** Again, I thank the member for the question. Our ministry's cultural interpreter program is supported by our government's violence against women prevention initiatives and our domestic violence justice strategy. My announcement yesterday of \$2.2 million is in addition to the recent investment of \$21.4 million in new initiatives announced by my colleagues the minister responsible for women's issues and the Attorney General.

All of these initiatives are part of our government's comprehensive \$161-million domestic violence strategy, focusing on protection and prosecution support for victims, and on prevention and public education. The \$2.2-million cultural interpreter program is one more step forward in our government's strategy to address domestic violence in Ontario.

Ontario leads the world, not only with our domestic violence prevention programs, but also with our newcomer settlement programs and our cultural interpreter program.

1520

#### EDUCATION FUNDING

**Mr Rosario Marchese (Trinity-Spadina):** My question is to the Minister of Education. Your private tax credit is inciting parents to leave our public schools. The Toronto board faces a further cut of \$21 million because of an unexpected drop in enrolment. Meanwhile, the number of private schools jumped to 162 from 134 in Toronto alone.

Tell me this, Minister: how does the loss of \$21 million from public schools to private schools constitute your strong support for public education?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** The member probably is aware of the fact that over the last few years the Toronto District School Board has been seeing a decline in its enrolment. It has been anticipated that this would happen. The rationale for it happening is—there are many reasons for it.

He also knows that across Canada there are the same number of people choosing private schools as in the province of Ontario. In fact, we're lower than some of the other provinces. So I don't think there's any trend or anything surprising happening. The Toronto school board had predicted this, and it's happening. The separate school board has seen a decline in its enrolment as well.

**Mr Marchese:** I've got to tell you it's no coincidence that enrolment in Toronto dropped by 3,000 students. The explanation, we say to you, is right before your eyes. You gave parents cash incentives to take their kids out of our public schools and send them to private schools. Now what we're seeing is that we have 18% more private schools in Toronto alone. Our public schools will have to

face an additional \$21-million cut in Toronto alone. The link, in my mind and in the minds of many, is very clear.

We have a bright idea for you: it's time to reconsider your tax credit for private schools in order to save our public school system and in order to invest properly in our public school system. Will you eliminate the tax credit?

**Hon Mrs Witmer:** We have made a tremendous investment in the public school system of Ontario this year. We have invested, since Mr Eves became the Premier, about \$560 million. In fact, today I stood in this House and talked about the \$21 million that we were investing in order to support teachers and students in this province to achieve success. To make any connection between the two is absolutely absurd.

#### SLOT MACHINES

**Mr Monte Kwinter (York Centre):** My question is to the Attorney General. On Tuesday I suggested that your position on Picov Downs was a charade and today I'm certain that it is. In your reply to me you said, "nor will I interfere in the decision and the process that will follow from the Ontario Lottery and Gaming Commission, another independent, impartial process." You also said, "We are still in the early stages of this process."

Both of these statements do not square with the facts. On April 10, 2002, which was six months ago, Tim Hudak wrote to Picov Downs and said, "After careful assessment of the status of Ontario's gaming market by the OLGC, I am writing to advise you that the OLGC has been directed to begin discussions with you for the establishment of a slot machine facility, with up to 800 slot machines, at Picov Downs."

"This decision is further to cabinet direction in December"—which was 10 months ago—"for the OLGC to complete a business case for slots at Picov Downs."

"The results of the OLGC business case supported the development of a new slot machine facility in the Ajax area with up to 800 slots, subject to prescribed conditions."

"In March"—seven months ago—"cabinet reviewed and approved the business case as part of the provincial gaming strategy."

Minister, will you agree that this whole exercise is a ruse to put 800 slot machines into the Ajax area by circumventing the three-year pause imposed by Management Board on commercial casinos and utilizing Picov Downs, a facility that barely qualifies as a racetrack, as a vehicle to pass it off as part of the racetrack slot initiative?

**Hon David Young (Attorney General, minister responsible for native affairs):** The honourable member keeps asking the same question over and over again. I guess I'm obliged to give a similar answer over and over again. The government is going to continue to take a responsible approach to gaming in this province. We've done so in the past; we will continue to do so in the future.



There are 16 tracks in this province that have slot machines. Each of those tracks went through a very similar process. What has happened to date in relation to the Picov Downs application is that they have received the right to apply for slot machines. The member opposite quotes "up to 800." As I have said on repeated occasions, "up to 800" can mean one or two or three or 799. The problem with your theory, your conspiratorial theory, is that Picov Downs doesn't have one slot machine today.

**Mr Kwinter:** For several days now I have been questioning you about the proposed allocation of up to 800 slot machines for Picov Downs, a number that the Ontario Horse Racing Industry Association termed "incomprehensible." It is now obvious that you and your government are prepared to pervert the process by bringing through the back door an initiative that you don't have the guts, the courage or the conviction to bring through the front door. There are also questions about the contribution of \$80,000 by Picov Downs to the leadership campaign of Minister Flaherty, who is strongly supporting this initiative. Mr Minister, will you call a public inquiry so that all the facts related to this decision can be examined?

**Hon Mr Young:** Well, last week the honourable member said the right number was one and a half; earlier this week he said the right number was 100 and he wanted to see them right away. He's quoted the Ontario horse racing association to suggest that they don't think 800 is the right number. That is accurate, sir; they do not believe that. They do believe that up to 200 is the right number. So there is another number that we could insert into the equation.

But the point is that this decision should not and will not be made by a bunch of politicians on the floor of the Legislature. I would suggest to the honourable member that if he wants to talk about political contributions, he should include in his discussion the contributions he received from the Barrie Raceway, the Canadian Thoroughbred Horse Society, Flamboro Downs Holding, the Horsemen's Benevolent and Protective Association and on and on and on.

### HEALTH CARE

**Mr R. Gary Stewart (Peterborough):** My question is for the Minister of Health.

*Interjections.*

**The Speaker (Hon Gary Carr):** Sorry. You'll be able to start over. I apologize. Member for York Centre, come to order, please.

*Interjections.*

**The Speaker:** Minister, come to order, please. Your member's got the question. If one side stops, the other side will stop; when one continues, it just gets the other side going.

Again, I apologize. The member for Peterborough has the floor.

**Mr Stewart:** My question is for the Minister of Health. Minister—

*Interjections.*

**The Speaker:** Would the member take his seat.

This is your last warning. You say one more word and I'm going to throw the minister out. We're not going to continue with this. Last warning to the minister.

A final apology, and I assure him he will get to do it this time. The member for Peterborough.

**Mr Stewart:** I'm getting old getting up and down, Mr Speaker—or older, I think is the word.

Anyway, my question is indeed for the Minister of Health. Recently, there have been several health care improvements and announcements in my riding of Peterborough. Could the minister please inform the House and my great constituents of the recent developments and the great work that the Eves government is doing to ensure top-quality health care in my riding of Peterborough, and indeed throughout the province of Ontario?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I thank the honourable member for the question and for the idea that part of the health and wellness program of the Ministry of Health is question period, where we stand up and down to answer questions. That's a good addition to it.

Of course, I want to inform my colleague and members of this House of a new peritoneal dialysis machine at Peterborough Regional Health Centre. The new service launched on Monday will be of great benefit to dialysis patients living in the Peterborough area. Residents will no longer be required to travel great distances to area hospitals for blood exchange treatments or checkups. This new dialysis machine cleans blood by removing excess waste and water from the body and also allows the patients to have their blood exchanged at a centre in only four hours. This represents a significant reduction in time from performing this procedure at home, where the process takes up to nine hours. This is yet another example of the work my ministry, on behalf of the Eves government, is performing to benefit Ontarians, including those in Peterborough.

**Mr Stewart:** Indeed, it is of interest to the people who need that service.

Minister, this morning I was listening to 1050 CHUM and the guest was a very famous singer from my area of Peterborough.

**Hon Dan Newman (Associate Minister of Health and Long-Term Care):** You're a bit old for that, aren't you?

**Mr Stewart:** No, I'm not, actually.

**Hon Mr Newman:** Sorry, I couldn't resist.

1530

**Mr Stewart:** You've got me all confused now. The famous singer was Ronnie Hawkins, and he was discussing how grateful he was to be alive because he lives in Canada. The Hawk further commented on Canadians not realizing they have one of the best health care systems. The Hawk suggested that if he had been in the

United States, he may not, first of all, have been able to afford health care, and that his recent open-heart and pancreatic surgery in Toronto led him to believe that he was most thankful.

I'm wondering if there are any other health care initiatives of which Peterboroughians like Ronnie Hawkins—you've really got me confused.

#### *Interjections.*

**Mr Stewart:** I may never ask another question, by the way, what you guys are like—anyway, that the folks of Peterborough, people like Ronnie Hawkins could be made aware of?

**Hon Mr Clement:** The member for Peterborough is full of surprises today. Thank you for the question.

These are exciting times for the people in Peterborough. Our thoughts of course are with the Hawk, Rompin' Ronnie Hawkins. Who do you love, Mr Speaker? We love the Hawk. He thinks so highly of our health care system. This reinforces the health system performance report where over 90% of Ontarians were satisfied with their health care delivery.

I'm pleased to announce here that two MRI licences have recently been granted. The first licence involves the Lakefield community. As a result of this decision, the residents of this area will soon give a home to a bone density MRI. This is a first for them. The second licence involves bone density radiology services at the Pine Ridge clinic. We also cannot forget that a new hospital for Peterborough will be built in the very near future. More good news from the Eves government for the people of Peterborough.

#### OPP FACILITY

**Mr Ernie Parsons (Prince Edward-Hastings):** My question is to the Minister of Public Safety and Security. Minister, your government continues to treat taxpayers' money like it's Monopoly money, to be spent and played with by your friends.

In 1995 Mike Harris moved the OPP communications centre from Sudbury to North Bay. You're doing it again. Premier Eves is no different whatsoever on this. Although there is an OPP report recommending that it go to Belleville, you chose to put it in Smiths Falls. If you have any question at all as to whether you made the right decision, have a look at this. There's a station you rejected. There's the property you chose to put it in. You chose to put it in an old abandoned warehouse—

**The Speaker (Hon Gary Carr):** The member knows better than the props. Please don't do that again. Thank you. The member may continue and your time's still going. You have three seconds to wrap up the question.

**Mr Parsons:** Minister, will you release the OPP report that identifies Belleville as a desired location?

**Hon Robert W. Runciman (Minister of Public Safety and Security):** My knowledge of this was that the OPP made the appropriate decision with respect to a number of reasons. If you look at the fact that the eastern regional headquarters is located just outside of Smiths

Falls—when I talked to OPP officials, they were also talking about their concerns about retention of bilingual staff in their communications centre, of people in Kanata. A move to Belleville was certainly a significant disincentive. The fact is, the building in Belleville is being fully utilized and, as far as I'm aware, will continue to be fully utilized.

**Mr Parsons:** You need much better information than you've just shared with me. The building in Belleville was ready to go three years ago before political interference changed it. The building in Smiths Falls is a year away. It is an abandoned warehouse that requires complete rebuilding. This absolutely stinks of pork barrelling. It may be funny on that side, but it's not funny to the people of Ontario. Minister, I'm asking you to reverse the decision and do what is right. Quit looking after your friends and look after the people.

**Hon Mr Runciman:** That's a Liberal trait, looking after their friends, not the Conservative Party of Ontario. We can see that in the gerrymandering of the federal election boundaries by their cousins in Ottawa.

The reality here is that unlike the Liberals putting their friends first, what this government does is put the public first in terms of public safety and puts front-line OPP officers' public safety first as well.

My involvement in this was to make sure that we get on with this, because first and foremost, this is a front-line officers' safety issue. We have to have good communications on the front lines to ensure the safety of our officers and ensure that we have that rapid response time to incidents.

The Belleville facility is going to be used in the future by the OPP. This member is whistling in the wind. He has no—

**The Speaker:** I'm afraid the minister's time is up.

#### POST-SECONDARY EDUCATION

**Mr Bart Maves (Niagara Falls):** My question is for the Minister of Training, Colleges and Universities. Minister, we all know that Ontario's colleges and universities are in a period of growth, with more young people—well, where did she go?

#### *Interjections.*

**Mr Maves:** Well, I want to make sure she hears my question, Speaker.

Thank you, Minister.

We all know that Ontario's colleges and universities are in a period of growth, with more young people going on to pursue post-secondary education. Applying to college or university can be a stressful time for families, and I know that many secondary school students are looking for assurance that our government is ready to manage increasing enrolments.

Minister, what can you tell students in my riding, and indeed across Ontario, about our readiness to accommodate more students in the post-secondary system?

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for**



**women's issues):** I can begin by telling my colleague from Niagara that the students in that region of the province are very, very lucky, and that has to do with the huge expansion of Brock University, the wonderful new building that was opened not too long ago. Take a look at what's happening at Niagara College, and the private sector that's supporting these communities with regard to the wonderful programs in both tourism and of course restaurants. All of the kinds of jobs that are becoming available in Niagara—both Brock University and Niagara are responding to that.

**Mr John Gerretsen (Kingston and the Islands):** Instant double cohort.

**Hon Mrs Cunningham:** Let me just say to my colleagues who get so excited, because they're excited about all these young people going on to post-secondary education, with all of the money we've put into the buildings, with all of the money we have put into operating grants, \$368 million, for teachers—

**The Speaker (Hon Gary Carr):** I thank the minister. Final supplementary?

**Mr Maves:** Thank you very much, Minister. Indeed, your support for the expansion of both Brock and Niagara College has been much appreciated. However, recently I noted that Ontario's universities held a recruitment fair at the Metro Toronto Convention Centre, attracting thousands of parents and students interested in studying in Ontario.

I saw that you had attended this event on behalf of the government to talk to students about this massive expansion taking place on campuses across Ontario. Minister, there have been media reports for months suggesting that schools from other jurisdictions are working to recruit Ontario students. According to some reports, several are promoting themselves by raising fears about the opportunities that Ontario students enjoy. What's the real story, Minister?

**Hon Mrs Cunningham:** There are students here today, and they should know that last year the increase in admissions to our universities was 16%, and as of September, the number of new students going into our universities who have accepted those admissions was 16%. So it really doesn't get any better.

It is about properly projecting, and we have been spending seven years working with our schools, our colleges and our universities.

**Mrs Marie Bountrogianni (Hamilton Mountain):** You haven't properly projected this, and you know it.

**Hon Mrs Cunningham:** We got it exactly right this year, I say to my colleague. Speak to your own presidents at both your college and your university. We got it exactly right.

Next year, we hope to do the same thing. But everybody in this place—you're right about that, because you know who makes up their mind who comes? The students. And they haven't told you yet whether they're coming or not. Guess what? They haven't made their decisions with their parents or their teachers or anyone. But no matter what their decision is, we will fully fund

every student who is qualified and motivated to be admitted into our colleges and universities.

1540

## CHILD CARE

**Ms Shelley Martel (Nickel Belt):** I have a question for the Minister of Community, Family and Children's Services. Minister, on April 1 you received about \$150 million from the federal government for early childhood development initiatives. What have you spent this money on, and how much was invested in high-quality regulated child care?

**Hon Brenda Elliott (Minister of Community, Family and Children's Services):** I thank my colleague from the third party across the way. As she will know, yes, we were very pleased to receive money from the federal government for early childhood development programs. She will know that we have undertaken a two-pronged approach in how to provide services. We are providing a broad range of programs that are not only to serve children but also to meet parents' needs. We've also targeted some of that money very specifically to very key programs, things like autism and children's mental health. It's a combination of programs, along with my colleague in the Ministry of Health, that we think meets the broad children's needs across the province and those most vulnerable.

**Ms Martel:** The specific question was, how much was invested in high-quality regulated child care? I suspect you didn't answer that because I suspect that again this year you didn't spend a penny of that money on regulated child care.

Your decision to exclude regulated child care from this federal money has been strongly criticized by Charles Coffey and Margaret McCain in a report that they did for the city of Toronto this May. They said, "The three largest provinces have not only excluded child care, but also reduced spending for regulated care and other children's services, in violation of the agreement's intent to expand service provision."

In contrast, New Democrats have consistently argued that a significant portion of the federal money should be invested in high-quality regulated child care. In fact, you should adopt our \$10-a-day child care plan, and you should use a significant portion of the federal money to make sure that child care is affordable and accessible for Ontario families.

Minister, will you honour the spirit and the agreement of the early childhood development agreement and invest in \$10-a-day child care in Ontario?

**Hon Mrs Elliott:** My colleague knows full well that this government already spends in excess of \$700 million in child care. My colleague from the third party knows very well that that goes directly into programs for parents to give them the flexible kinds of child care that they indeed are looking for.

The federal money is spent very well, every single penny, in programs like autism, infant development, chil-

dren's mental health, Learning, Earning and Parenting programs, Ontario Early Years centres, early literacy programs, Early Years challenge fund programs. These are programs that are needed by many children in this province; again, targeted and broad programs for the most vulnerable and for parents to be better parents, in addition to the \$700 million we already spend on child care.

#### IPPERWASH PROVINCIAL PARK

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is for the Attorney General. Last week you misquoted the OPP commissioner in a response in the House. My question is, why did you do that?

**Hon David Young (Attorney General, minister responsible for native affairs):** I appreciate the opportunity to address this issue. Indeed I'm looking for the actual document that I will read from, with your permission. The document is not an affidavit. You are quite right, sir, and I want to correct that. It is a reply to a request to admit. It is a document that contains an actual admission, which I would be pleased to read at this point in time. It's an admission from Thomas O'Grady, the former commissioner of the OPP. He is, in the reply to request to admit, admitting the following: that he was "never directed or pressured by the defendant Michael D. Harris or the other government defendants or any other member of government to remove the occupiers from Ipperwash Provincial Park by force prior to the death of Dudley George."

**Mr Phillips:** It's very important because the commissioner has been very clear. He has said that he never received command direction from the Premier. It is clear that just a few hours before the shooting death, Premier Harris told the OPP he wanted the First Nations out of the park within 24 hours.

You, Attorney General, in my opinion misstated clearly the OPP commissioner's affidavit, his sworn statement, to use your term. You said that Commissioner O'Grady said that "the former Premier in no way directed the OPP to act in any certain way in relation to this incident." The OPP commissioner has never, ever said that. I have read the sworn statement clearly, and again you have misquoted that statement. The OPP commissioner has never said that he did not get direction from Harris. In fact, he has said he did take direction from the government.

Again I say to you, Attorney General, why did you misquote the OPP commissioner's statement?

**Hon Mr Young:** I would invite you to choose your words a little more carefully, with respect. I will now read in the remainder of the relevant portions of the request to admit.

**Mr Phillips:** "Command decisions." Try that.

**Hon Mr Young:** Sir, do you want to hear the answer or don't you?

**Mr Phillips:** I want you to read it.

**Hon Mr Young:** I'm trying to read it.

**The Speaker (Hon Gary Carr):** It's now the Attorney General's time.

**Hon Mr Young:** Indeed what it says is that no "member of government did ... have any input into or participate in or interfere with, in any way, the command decisions of the OPP in respect of the events which occurred at Ipperwash Provincial Park in September 1995."

**Mr Phillips:** There it is.

**Hon Mr Young:** No, sir, I think it's a pretty accurate review of it. He goes on to admit in this document, "After the commencement of the occupation of Ipperwash Provincial Park on September 4, 1995 and prior to the death of Dudley George you had no contact"—in other words, the commissioner admits he had no contact—"or communication with the defendants"—and he lists them, including the former Premier, Michael Harris—"or any other member of government with respect to the events which occurred at Ipperwash Provincial Park...."

Included in there, sir, is the paragraph that says he was not "directed or pressured by" the former Premier "or the other government defendants or ... any member of government to remove the occupiers from" the park.

Ultimately, it will be up to the judge to weigh that admission against the handwritten notes and other documents, and a decision will be made. It's not for you and me to make that decision, sir.

**The Speaker:** The time for question period is over. Oh, the point of order, the member, for next week—

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** Before I go forward, I know I have consent from the other parties—

**Interjection:** You don't have the floor.

**The Speaker:** The minister take his seat for a second. That was a point of order, wasn't it?

**Hon Mr Stockwell:** Yes.

**The Speaker:** It is a point of order. We'll deal with this one first. Sorry.

**Hon Mr Stockwell:** On a point of order, Mr Speaker: I know I have consent from the opposition parties for next week's private member's business to substitute Mr Sampson in for the second hour of private members' business, allowing the bill Mr Klees submitted to stand in his name. I know I have consent.

**The Speaker:** Agreed.

**Mr Phillips:** On a point of order, Mr Speaker: I serve notice of my dissatisfaction with the answer by the Attorney General and request an opportunity to have what we call here a late show.

**The Speaker:** The member would know to file that with the table, if he would.

#### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** I wasn't quite clear enough on that point of order. Let me try again.

Mr Sampson will take the second hour of private members' public business next Thursday and agree to stand for Mr Klees in his private member's bill. Is that



good? I think everyone knows what we're driving at here, because Mr Klees is the private member who was supposed to be up next Thursday. He obviously got a huge promotion today, for which I applaud him. I talked about it at House leaders this morning. All I'm trying to do is substitute Mr Sampson for Mr Klees and his bill for next Thursday.

**The Speaker (Hon Gary Carr):** What you're asking for is unanimous consent? I know we're having a little bit of fun but we need to be clear: what we're asking for is Mr Sampson and Mr Klees—no, not change places, because he doesn't get one now. But Mr Sampson will take Mr Klees's place next week, the second hour of private members' business, and stand with the same bill that Mr Klees had.

Is there unanimous consent? Thank you. We have that.

Now the government House leader for the orders next week.

**Hon Mr Stockwell:** I appreciate your patience.

## BUSINESS OF THE HOUSE

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** Pursuant to standing order 55, I have a statement of business of the House for next week.

On Monday afternoon we'll be debating waterfront restoration. That's Bill 151. On Monday evening we will be debating Bill 177, the Municipal Act.

On Tuesday afternoon it will be the Liberals' opposition day. In the evening we will be debating Bill 175, water and waste water services, which is a fine act, if I might add.

On Wednesday, by agreement we will adjourn after routine proceedings for the Queen's visit. I'll repeat that because it's unusual: on Wednesday of next week we will adjourn after routine proceedings, which means after petitions, for the Queen's visit, and there will be no session in the evening as well.

On Thursday morning, during private members' business, we will be debating exactly what I just got clarified a minute ago—because I'm not going there any more—on Thursday afternoon we will be debating Bill 175, and in the evening, Bill 181, which is the legal aid services bill.

1550

## PETITIONS

### LONG-TERM CARE

**Mr James J. Bradley (St Catharines):** This is a petition to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the Eves government has increased the fees paid for by seniors and the most vulnerable living in

long-term-care facilities 15% or \$7.02 per diem effective August 1, 2002; and

"Whereas this fee increase will cost seniors and our most vulnerable more than \$200 a month; and

"Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

"Whereas the increase in" Ontario's "own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

"Whereas according to the government's own funded study, Ontario ranks last among comparable jurisdictions in the amount of time provided to a resident for nursing and personal care; and

"Whereas the long-term-care funding partnership has been based on government accepting the responsibility to fund the care and services that residents need; and

"Whereas government needs to increase long-term-care operating funding by \$750 million over the next three years to raise the level of service for Ontario's long-term-care residents to those in Saskatchewan" back "in 1999; and

"Whereas this province has been built by seniors who should be able to live out their lives with dignity, respect and in comfort in this province;

"We the undersigned petition the Legislative Assembly of Ontario as follows:

"Demand that Premier Eves reduce his 15% fee increase on seniors and the most vulnerable living in long-term-care facilities and increase provincial government support for nursing and personal care to adequate levels."

I affix my signature.

### CHILD CARE

**Ms Shelley Martel (Nickel Belt):** I have a petition sent to me by the Little School in Orleans, Ontario. It reads as follows:

"Whereas 70% of Ontario women with children under age 12 are in the paid workforce;

"Whereas high-quality, safe, affordable child care is critical to them and their families;

"Whereas the Early Years study done for the Conservative government by Dr Fraser Mustard and the Honourable Margaret McCain concluded quality child care enhances early childhood development;

"Whereas this government has cut funding for regulated child care instead of supporting Ontario families by investing in early learning and care;

"Therefore, be it resolved that the Ontario government adopt the NDP's \$10-a-day child care plan and begin implementation by reducing full child care fees to \$10 a day for children aged two to five currently enrolled in regulated child care, by providing capital funds to expand existing child care centres and build new ones, by funding pay equity for staff and by creating new \$10-a-day child care spaces in the province."

I agree with the petitioners and I've affixed my signature to this.

**The Deputy Speaker (Mr David Christopherson):**

Now you guys are going to work this out, so don't you confuse my life by standing up. I'll recognize the member from Durham.

RICK KERR

**Mr John O'Toole (Durham):** Thank you, Mr Speaker. The members on this side of the House are always speaking on behalf of their constituents. The member from Bramalea-Gore-Malton-Springdale will be next, I think.

To the Legislative Assembly of Ontario:

"Whereas Rick Kerr has distinguished himself as a dedicated member of Durham College through 25 years of service; and

"Whereas his commitment to student success and professionalism has set an outstanding example for Ontario's college education sector; and

"Whereas his nickname of 'Captain KPI' should in no way diminish his accomplishments of organizing program mapping when no one else would; and

"Whereas Rick's proficiency as a squash player and his status as the most physically fit person on campus has earned him only passing glares; and

"Whereas his commitment to student fashion has made the police foundations program clothing order an international event for the textile industry; and

"Whereas the Kerr family has an outstanding reputation in the community for teaching, and Rick also teaches;

"We, the undersigned, petition the Legislative Assembly of Ontario to recognize Rick Kerr's long service and dedication to the Durham College community."

Andrea Brown from Bowmanville signed this petition, along with hundreds of others.

#### NATURAL GAS RATES

**Ms Caroline Di Cocco (Sarnia-Lambton):** "To the Legislative Assembly of Ontario:

"Whereas Union Gas/Duke Energy has had a retroactive increase in natural gas prices approved with interest by the Ontario Energy Board; and

"Whereas all the appointees have been appointed by the provincial Conservative government; and

"Whereas the Ministry of Energy gave itself the authority in 1998 to review the decisions of the board if they are not in the public interest; and

"Whereas the company applying for these increases is already very profitable and is making more money than ever before; and

"Whereas this retroactive increase is unfair, unbusinesslike and holds consumers hostage;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Energy intervene to overturn this decision and protect the public interest and the consumers of natural gas."

I affix my signature to the petition.

RICK KERR

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** This is a petition to the Legislative Assembly of Ontario:

"Whereas Rick Kerr has distinguished himself as a dedicated member of Durham College through 25 years of service; and

"Whereas his commitment to student success and professionalism has set an outstanding example for Ontario's college education sector; and

"Whereas his nickname of 'Captain KPI' should in no way diminish his accomplishment of organizing program mapping when no one else would; and

"Whereas Rick's proficiency as a squash player and his status as the most physically fit person on campus has earned him only passing glares; and

"Whereas his commitment to student fashion has made the police foundations program clothing order an international event for the textile industry; and"

"Whereas the Kerr family has an outstanding reputation in the community for teaching and Rick also teaches;

"We, the undersigned, petition the Legislative Assembly of Ontario to recognize Rick Kerr's long service and dedication to the Durham College community as follows."

It has been signed by many people, and I am happy to put my name to it as well. I will have Kevin, the very hard-working page, deliver that to the desk.

#### NATURAL GAS RATES

**Mr Pat Hoy (Chatham-Kent Essex):** A petition to the Legislative Assembly of Ontario:

"Whereas the Ontario Energy Board has consented to allow Union Gas to retroactively charge \$40 per month for a three-month period to recover additional system operation costs that occurred during the winter of 2000-01 totalling approximately \$150 million; and

"Whereas Union Gas will recover accrued costs over the peak heating season, causing undue hardship; and

"Whereas this retroactive charge will affect all customers who receive Union Gas, including new homeowners and new customers to Union Gas;

"Therefore, be it resolved that we, the undersigned, demand that the Ernie Eves government issue a policy directive under section 27.1 of the Ontario Energy Board Act disallowing the retroactive rate hike granted to Union Gas; and we further demand that the Legislature examine the Ontario Energy Board, its processes and its resources, and make changes that will protect consumers from further retroactive rate increases."

#### LONG-TERM CARE

**Mr John Gerretsen (Kingston and the Islands):** I had it prepared, but I didn't think we would get to it today. But here they are, hundreds of petitions dealing with the long-term care situation addressed to the Legislative Assembly of Ontario:



"Whereas the Eves government has increased the fees paid for by seniors and the most vulnerable living in long-term-care facilities by 15% or \$7.02 per diem effective August 1, 2002; and

"Whereas this fee increase will cost seniors and our most vulnerable more than \$200 a month; and

"Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

"Whereas the increase in the government's own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

"Whereas according to the government's own funded study, Ontario ranks last amongst comparable jurisdictions in the amount of time provided to a resident for nursing and personal care; and

"Whereas the long-term-care funding partnership has been based on government accepting the responsibility to fund the care and services that residents need; and

"Whereas government needs to increase long-term-care operating funding by \$750 million over the next three years to raise the level of service for Ontario's long-term-care residents to the same as those in Saskatchewan in 1999; and

"Whereas this province has been built by seniors who should be able to live out their lives with dignity, respect and comfort in this province.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Demand that Premier Eves reduce his 15% fee increase on seniors and the most vulnerable living in long-term-care facilities and increase provincial government support for nursing and personal care to adequate levels."

As I mentioned before, it's been signed by hundreds of people from all over the province. I agree with it and I have signed it, and I'm handing it to our page Philip.

1600

#### NOTICE OF DISSATISFACTION

**The Deputy Speaker (Mr David Christopherson):** Pursuant to standing order 37(a), the member for Scarborough-Agincourt has given notice of his dissatisfaction with the answer to his question given by the Attorney General concerning Ipperwash. The matter will be debated today at 6 pm.

#### ORDERS OF THE DAY

##### SUSTAINABLE WATER AND SEWAGE SYSTEMS ACT, 2002

##### LOI DE 2002 SUR LA DURABILITÉ DES RÉSEAUX D'EAU ET D'ÉGOUTS

Resuming the debate adjourned on October 2, 2002, on the motion for second reading of Bill 175, An Act respecting the cost of water and waste water services /

Projet de loi 175, Loi concernant le coût des services d'approvisionnement en eau et des services relatifs aux eaux usées.

**The Deputy Speaker (Mr David Christopherson):** We will resume the debate. It's my understanding that the member for Toronto-Danforth has the floor and so she may continue with her opening debate.

*Applause.*

**Ms Marilyn Churley (Toronto-Danforth):** Thanks for the applause from the Minister of the Environment. I know he was listening very carefully to some of my remarks yesterday, and I will continue on.

Just to give a brief synopsis of what I was talking about yesterday, I was giving the backdrop to this bill and talking about, as Mr Bradley, the Liberal critic, talked about earlier, the deep and severe cuts to the Ministry of the Environment in all its resources. The budget was slashed and the front-line staff was slashed. Over 40% of the water staff, people who deal with water, were cut.

I was referring to Justice O'Connor's two reports, part one and part two, and urging people to read these reports in their entirety to really get a sense and overview of what happened in Walkerton and how we're sadly letting down our constituents in terms of providing safe water in this province.

Something that comes through in both reports, particularly in the part two report, is that Justice O'Connor's guiding principle to ensure safe drinking water is to protect our water from source to tap. So far, with the pieces of legislation that have been brought forward, and that includes the Nutrient Management Act and this bill before us today, and from what I've seen, the government's draft Safe Drinking Water Act, none of those bills are in any way doing anything about source protection, which is the underpinning of what we have to do to protect our water.

The minister said that's being worked on and perhaps, perhaps, in six months we might see something. But again, I'll remind people that an election is looming and I have grave concerns that we're not going to see any kind of source protection act come before this House before the election, which means we have to seize the opportunity to make sure that source protection is dealt with to the extent that we can under this bill and under the Safe Drinking Water Act.

Before I turn specifically to discussing the act and my concerns and the New Democratic caucus's concerns about the bill, I want to turn briefly to the recent Environmental Commissioner's report, the annual report for 2001-02. I would ask people to refer specifically to pages 47 and 48. I asked a question about this, and it's indeed absolutely chilling to read something like this in the wake of Walkerton and to see that still nothing has been done about it.

I'm going to read the quote directly. Mr Justice O'Connor says, "Unfortunately, MOEE severely cut back on its monitoring network, from 730 stations in 1995 to 240 by 2000. Only six of these stations are located across

the vast expanse of northern Ontario. The remainder represent less than six stations per major watershed in southern Ontario. The dismantling of the network seems clearly inconsistent with MOEE's 2001/2002 business plan. The water bodies at the stations are sampled between"—and then he goes on to how infrequently they're examined. "No consolidation or interpretive reports are produced from the acquired data, and this severely limits the usefulness of the data to environmental decision-making and to the public."

This is still going on after Walkerton. You turn the page to 48, just to continue on why this is so important and why source protection and ground protection is so important.

"Most Ontario residents have little knowledge of the state of water quality in their local streams or lakes, or how the character of those water bodies might be changing as a result of climate change," which is very relevant today, given this government's lack of commitment to the Kyoto accord, lack of commitment to shutting down the coal-fired plants, lack of commitment to energy conservation and efficiency programs, and its lack of commitment to bringing forward in a timely fashion the recommendations from the alternative fuels committee, which I sat on.

Justice O'Connor and the Environmental Commissioner both spoke at some length about the importance of protecting our water at the source. Again, as we talk about this bill, it's shocking to have this information before us. That is the background to which I speak when I talk about this bill.

I'm going to give you some concerns that the New Democratic Party has about the bill, and indeed some of those concerns are shared by some of the key environmental groups, like the Canadian Environmental Law Association, who's done a brief and sent it to the government, and their views of the bill; and from the conservation authority, as well.

The bigger flaws in the bill really do jump out at you. In some ways it's a very technical bill. But I'm going to give you a few of the bigger concerns I have.

It really should be called the "forced privatization bill," because that's what it really comes down to, as it allows the minister to impose a privatization scheme if he chooses to. Given this government's penchant for privatizing things and the context of what's happening with hydro right now, we understand why this bill is written the way it is.

It tries to establish full cost recovery for water, but again, as you'd expect, I'm not surprised—from what we've seen so far—this government's environmental short-sightedness. It does not include source protection in that cost.

For the record, I went into some detail yesterday about the implications of cost recovery and the various financial models that should be looked at, and the passages from Justice O'Connor's part two report about the need to make sure that municipalities who can't afford full cost recovery, that there's a financial model in

place. In other words, the province cannot pull completely out of this, and we have to make sure that the standards are even across the province. If municipalities or individuals cannot afford full cost recovery in their jurisdiction, we expect the government to step in. There are all kinds of financial models that we have to look at to make sure that everybody can afford to turn the tap on, and that all of these, especially smaller municipalities, can afford to protect their water.

Having said that, what's missing from this particular bill is source protection, which municipalities are going to have to be required to do.

The other thing that this bill does, in my view, is give far too much power to the ministry. The way it's written now, the minister can basically order a municipality to privatize or change its business practices. When the municipality comes back and is having trouble raising revenues through their ratepayers, then the minister can order that municipality to privatize its system. I'm going to get into a little bit more detail in a few minutes about problems with that.

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The other problem is, like a lot of other bills that come before us, there's too much left to regulation, so we don't know what the final product is going to be. I'm glad the minister said he's in favour of public hearings on this, because I'm sure there will be a lot of people who will want to give their views on what should be in these regulations.

This bill sets no standards and it gives us absolutely no sense of how the minister—right now, it's Minister Stockwell. Who knows who it's going to be next? We've had a lot of environmental ministers in this government over the years. The delegation powers of the minister are far too broad. He basically has the ability, if he wants, to contract out his own job.

This is a very sneaky way to privatize through the back door. It's sort of hidden in this bill, but when you read it, it is very clear that that's what this bill will provide for. In that sense, this bill is not just about making our drinking water safe; it's about forwarding this government's privatization agenda.

The bill identifies regulated entities that are eligible to provide water and waste water services, which could be a municipal department, utility board or corporation, to a municipality. The bill gives the government broad powers to mess around with municipalities' financial systems and could be a serious threat to local decision-making.

I would say to the government, if they want to privatize water, just say so. Say it openly and then we can deal with it. I think it's incumbent upon us to make the public aware that that is a major component of this bill and that we will not allow it to be snuck in in the back pages of the bill before us.

The government's so-called SuperBuild department had commissioned eight grand studies of various models for funding water infrastructure—and we know that's going to be a lot of money—which are intended to



rationalize and justify the government's failing privatization agenda as we have seen in the SuperBuild program. These are very critical topics for discussion, yet the government did not initiate any public discussion or consultations on any of those issues or studies and only quietly released four out of the eight studies. The other four were not released.

The other implication for privatization in this bill is that it allows—and potentially even requires—private sector interests to extract large quantities of water for export to other jurisdictions. First, what could happen here under this bill, if it's passed in this form, is it could privatize the water systems which, under NAFTA, opens up Canadian water systems to competition from corporations from all over the world and then you give those foreign corporations the ability to extract large quantities of water.

I'm going to, at this point, give you some ideas of the perils of privatizing our water systems.

You will recall a few years ago the government brought in a bill—I forget the name and number of the bill—that would lead to privatization of water systems. There was a great flurry of activity at the time and the government backed off, but we certainly did our research at that time. It was under the Harris government several years ago. Indeed, since that time there has been more privatization of water systems in Ontario and across the world.

What we have to bear in mind when we're looking at all of these issues related to water is that water is essential for life. It's absolutely essential for life on this planet. The concern now is that our water is in danger of being sold to the highest bidder.

I just want to tell you that the for-profit water industry—we already have the evidence that, in general, it has a very poor record of service. There are several water companies that have been tainted with corruption charges. I just want to let you know the size of the industry—and this is not a bogeyman. This is real; this is happening. The private water corporations already are generating worldwide revenues of \$120 billion per year; that's four times the annual sales of Microsoft, for heaven's sake. This is already happening. So already across the world, some of these private companies are making over \$1 billion from selling one of our most precious resources, something that we need to sustain life, and making a profit off it.

I've already talked about considering the costs of privatization and what we have seen here in Ontario. I again went into more detail about this yesterday. Mr Speaker, if you're interested, because I don't believe you heard my speech yesterday, you could always read yesterday's Hansard, because I went into—and I'm sure you will. Write down the page numbers.

I went into some detail about what happened in Walkerton and went to the Walkerton part one report and talked about the privatization of those labs by the Tory government. I said, and I'll repeat this, that one of the Tory members came across the floor to me and in

essence was blaming the NDP once again—I thought we were over that—and said to me, "Did you know that Walkerton started using a private lab in 1994 when you were in government?"

Well, I pointed out—and you will be able to see this in Hansard, and it's very clear in the part one report—that that in fact isn't correct. I don't know where he got that from. Walkerton had been using the public health labs provided for free, the service provided for free, up until the government got rid of those. We often talk only about the four labs under the Ministry of the Environment which were closed down, but there were, I think, 13 other labs under the Ministry of Health which still were not charging any fees, and they in fact were testing Walkerton's water up until 1996, I think it was. Then the government got rid of those as well. So that's what happened there.

We know there were several tragic, terrible events that happened that led to the deaths of those people and the terrible illnesses that in particular have left many children very sick, who will be for the rest of their lives, perhaps on kidney dialysis and with other problems. We know that thousands were made seriously ill.

That's because the government turned the testing of water over to the private sector. Was it seven weeks? I know you can't talk back to me, Mr Speaker. I think it was seven or eight weeks they had in order to find a private lab. And there were no regulations. There was no oversight by the government, no accreditation required. So those smaller towns were out there desperately looking for labs without any oversight from the government. That's one of the things: the reporting mechanism fell apart once those labs were privatized, and no system was put in place to help the municipalities deal with not only getting a lab that could do the required work, but that would also understand the reporting systems that had been in place for a number of years.

The other thing we know is happening now across Canada is that groundwater is being given away to bottled water companies. They pay nothing for it, and then they sell it back to us in bottles. Ontario has now lost track of how much groundwater is left. We don't know. But we know that more than 18 billion litres a year are being taken out.

I'm going to give you some examples, because I have said this, and if I'm going to be making these accusations—and this is documented, that some of these companies, these for-profit water industries, have been involved in corruption charges. I'm going to give you some examples of some of the things that have been happening.

In December 2000, in Goderich, Ontario, they made a deal with a French company called US Filter Canada, otherwise known as Vivendi. It's the largest water company in the world. It has been investigated in six separate corruption cases and is currently—it had been, anyway; I'm not sure if it's still going on—under a major judicial review in France for participating in a whole series of corruption activities between 1989 and 1996.

They were charged with imposing a 2% levy on all their contracts, and then do you know what they were doing with that 2% levy—or what they were charged with? They were giving those funds to political parties. Doesn't that make you worry?

**Mr AL McDonald (Nipissing):** Not at all.

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**Ms Churley:** Well, it wouldn't make Tories wonder, because we've looked at some of the donations that have gone to leadership candidates there from big companies here in Canada, in Ontario, and some of those connections have been pointed out, particularly around gaming.

They have also been prosecuted for supplying water unfit for consumption in one town in France. That was for 476 days between 1990 and 1993. Then again in Sydney, Australia, in 1998, another huge water giant failed to inform the public for weeks about the presence of cryptosporidium. We all well know that is a parasite that's found in water. You'll recall that before Walkerton, and I remember standing on my feet and asking questions about this, there was a man who died. I think there was only one death—and one death was too many; I believe it was in Barrie—from cryptosporidium in the water. At that time, I rose and asked questions of the government, as did other members, about what they were going to do to improve our testing of water and information to the public.

I also want to talk a bit about what costs would be involved if we continue to put our water supply in private hands. We are very well aware that this is an issue that is out there and is causing great concern. I know the Council of Canadians, Maude Barlow and others have been doing a great job across the country alerting people to the fact that there is a lot of pressure on all governments, it seems, the federal government and across Canada, to allow us to sell our water and allow it to be shipped out of the country. If bulk exports of water start, we all know that it will be very difficult and costly to stop them. My hometown in Newfoundland had recently been toying with exporting tankerloads of lake water to the US, and we all expressed a concern about that because it would have set a precedent for all of Canada.

The last thing I want to say about water privatization, and you'll recall this, is that when the government was in the process of moving forward with the privatization of our water, we in our party, and I recall this very well, did our research and found out what happened in Britain after that water system was privatized. I'm just going to remind the House, and the members who were here will recall—not all were here at that time—that we raised these issues at the time, the perils of privatizing our water for profit.

The British water companies have been found guilty of supplying water that is of poor quality. The water rates went way up, so private water means higher water costs, and here we are talking about full cost recovery, which I think most of us in the House agree to as long as it's done in such a way that poorer, smaller municipalities and individuals are subsidized. Somehow we have to find a

funding model that will meet those goals. But in the same breath that we're talking about this, this bill would allow the privatization and rates would go even higher, just as we're seeing with the privatization of hydro right now. The private water experience in Britain proves this.

I remember that when we were investigating it back then, one of the most shocking things that happened in Britain was that poor people actually had their water turned off because they couldn't pay the private company rates. They had their water turned off. That happened in Britain. It is well documented.

Private water discourages investment in upgrading and infrastructure renewal. Again, I come back to the British experience. It showed that—are we surprised by this? It's their job—multinationals focus on maximum profits. That's what companies do. That's why they shouldn't be allowed to take over our water. Their main goal is not the public well-being. That's what multinational companies do. They're out there to make money for themselves and their shareholders. For instance, when the British water regulator told the water companies to reduce water costs and improve their infrastructure, one water company reported that they would slow down improvement programs.

The other problem, and it's a real concern, is that the evidence showed in Britain that the water companies paid less attention to preserving the environment. With public water systems, citizens can and do, as was evident in this House before and after Walkerton happened—can be involved in bringing in programs that preserve the environment and deal with environmentally sensitive policies. But when commercial interests and profits dominate, we don't have the opportunity to do that. It becomes much harder. British water companies turned out to be the worst environmental offenders in the country, and illegal sewage discharges topped the list.

So that's just a brief summary of some of the things that went wrong in Britain and France when their water systems were privatized.

I want to discuss a little more why I'm concerned and why others are concerned about full cost recovery being defined too narrowly in this bill and, as I mentioned earlier when I spoke, the need to have source protection be the linchpin, the centrepiece, of all of the new water regulations and bills that we bring to the House.

I have a letter here from Conservation Ontario and I also have a submission from CELA, the Canadian Environmental Law Association, expressing their concern about the limitations. I'm going to read you a little bit of this letter from Richard D. Hunter, who is the general manager of Conservation Ontario. What he says is:

"Conservation Ontario has reviewed with concern the interpretation of the Canadian Environmental Law Association ... which suggests that 'municipalities that want to include the types of source protection and watershed protection costs ... may actually find that not only are they not in the definition of full cost, they are actually expressly forbidden to charge for these costs.' This is clearly undesirable since it would undermine a municipi-



pality's ability to deliver source protection as the first step in protecting their residents' drinking water supplies."

He goes on to say, "In particular, but not limited to this, full cost accounting must include the cost of watershed infrastructure that provides the source of water supply or improves waste water ... capacity of the receiving stream, including that infrastructure that is operated by the conservation authorities on behalf of one or several municipalities. As written," the bill "provides no mechanism to recognize this direct cost of water/waste water in the municipal water/waste water bills."

So this is something that is of great concern to all of us. Obviously, we're going to have to work out the funding mechanisms later so that it's fair and so that people are recognizing the full cost of water.

Clearly, the government needs to bring in water conservation programs. I would see a full cost funding arrangement, not seeing the government completely pull out, but being there when it's needed—and also bringing in water conservation programs which, I might add, the New Democratic Party did when we were in government, when we set up OCWA, the Ontario Clean Water Agency. A major component of that was that any municipality that applied for funding to upgrade, expand or build a new water treatment system had to build in a conservation plan. We have examples. I believe it was Collingwood that did that. They expanded a system, with those conservation components built in. Actually, they got money from our government and then they continued to save money because of the conservation programs. So that's going to be a critical part of any financial arrangement that comes out of the concept of full cost accounting.

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The most important thing is to ensure that everyone in Ontario has clean and safe drinking water; and the funding model for water must ensure that all water is affordable for all Ontarians. That's a given: we have to have a high standard right across the province, uniformly across the province. So even if you're a smaller municipality and you can't afford it, there has to be a mechanism for the government to step in and deal with that, so that they don't do what they did recently after bringing in their new regulations. When some municipalities were unable to meet those requirements, they were given a six-month deadline. What we don't want to see across the province are those municipalities that can afford more upgrading their systems to make their water safer, and those communities that can't having a lower standard. We all want every single person in this province to be able to know that when they turn on their tap their water is safe. But that doesn't mean that because we want to keep the costs down we can just ignore the first barrier in what Justice O'Connor called a comprehensive source-to-tap plan.

The bill, as I said, has been criticized in those particular areas by environmental groups, including CELA and Conservation Ontario, for its exclusion of water source

protection. There is an important link between watershed management and the efficient delivery of water and waste water services to the public. Projects to improve and protect water quality at its source as well as projects that improve the capacity of the environment to absorb waste water are both vital.

The Environmental Commissioner of Ontario just finished blasting the government, as I mentioned earlier, for abandoning the water quality monitoring stations without ever solving the problem of why our water sources are deteriorating. This is just such a terrible oversight—I guess "oversight" is too mild a word for it in the wake of Walkerton. I want to get this phrase out there as much as I can, so people start thinking of protecting our water, not just what comes out the other end of the pipe but protecting it before it hits our pipes, and that's to institute a source-to-tap policy, which means that all of the bills, any new regulations, any new legislation that comes in dealing with water—and none of the bills that have come forward to date are dealing with this essential component.

I want to address my concerns about far too much power being given to the ministry and the minister, and I'm going to outline some of those powers. The minister is authorized to approve, amend or impose another cost-recovery plan for any reason whatsoever. These are, in my view, sweeping powers for one person to exercise, considering that we are going to be dealing with a community of people who have elected councils to represent their interests. As I said earlier, this bill—we are going to have to rely on regulations later—does not lay out any details regarding the standards that the ministry will use in approving those plans. I think this is an unforgivable omission, this is something that we should be discussing as we discuss this bill, but my reason, again, for why I believe these criteria are omitted is that the government will just tell municipalities that they have to privatize to meet the requirements of the government.

Further, there is no "purpose" section in this legislation that would give us any comfort in indicating what the minister might use as guidance. I'd like to see it in a new bill. I have it for my Safe Drinking Water Act, and it's highly recommended in all acts, to lay out very clearly exactly what the purpose is. If you do that, then it gives an overview of what the act is supposed to be achieving. The government has now taken that out of the Safe Drinking Water Act they will be bringing forward, and I'm hoping they'll accept an amendment to bring back the purpose section I had in my bill, which is no longer on the table.

Further, what this means is that without a purpose section in the legislation the government can add or ignore any element that includes the concepts of water efficiency and conservation, reduced consumption, protecting water for the future and protecting public health in the interpretation of the act. Those are the kinds of things that should be in the purpose statement.

The bill should provide some explicit directions for the government's role in relation to the bill, but it does

none of that. We will be putting forward amendments that will fix that, and I hope the government will support those amendments. This means, again, that it ignores the wishes of a publicly elected council, ignoring the public's wishes.

The bill also doesn't provide for any public input into the development of the plans themselves. I know the minister said yesterday that he wants to take this out for hearings and I know he's going to take the safe drinking water bill out for hearings, and we're expecting extensive hearings across the province on both these bills, but there is no opportunity built in for public consultation around the development of the plans, and that's something we have to ensure we change. If a "regulated entity" is not implementing an improved plan or not taking all necessary steps to pay the full costs, the minister is also authorized to order—I see I'm running out of time here. How did that happen? I'm not nearly finished.

I will have substantive amendments that I will be bringing forward to the minister during the public hearings. I will end by saying that the very first thing the government needs to do, today, is announce that they're putting the resources back into the Ministry of the Environment or otherwise all these bills are not worth the pieces of paper they're written on, because there won't be anybody there to enforce the new laws.

**The Deputy Speaker:** The member's time for debate has expired. Members now have up to two minutes for questions or comments.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I appreciate the comments made by the member for Toronto-Danforth, the NDP critic for the Ministry of the Environment. I can't say I agree with everything you said. Some of it was, I would say, somewhat partisan and controversial. I'm not saying that's wrong. This is supposed to be a partisan and controversial place. But I will say that some of what you said I found interesting and probably something we could talk about at committee, with respect to certain amendments to this bill. As I said to you yesterday, I'm not opposed to looking at legitimate amendments. They must live within the spirit of Justice O'Connor's report—not just the spirit, but the actual workings of it. It's difficult drafting legislation from that report, because, as you know, it's going to take three or four bills to do exactly what Justice O'Connor wants us to do. Again, I want to reiterate what I said yesterday, that I'm very interested in having a conversation about that at committee.

Water monitoring: water quality monitoring stations in Ontario have been increased from 240 to more than 350 stations between 2000 and 2002. The 350 stations are part of the ministry's provincial water quality monitoring network. Ontario already has one of the most comprehensive stream water quality monitoring networks in Canada. The ministry continuously reviews the need for enhanced monitoring at specific stations or new locations.

Our first priority after Walkerton was to ensure the delivery of safe drinking water in Ontario. With respect to the water monitoring stations, I want to be clear. On the argument that it was X and now it's Y, when it comes to Canadian jurisdictions we are near or at the top with respect to the number of water monitoring stations due to size and population. Can we do better? The Environmental Commissioner has told us we could, so yes, I believe we can. But let's not leave the impression that we have not tried to beef up water monitoring in the last couple of years by actually producing 110 more stations to try and do better. That will grow. I just wanted to leave that impression out there. I only get two minutes. You had an hour's speech and you touched on a number of subjects, but I just wanted to put that across.

**Mr James J. Bradley (St Catharines):** I think the member was quite accurate and it was appropriate for her to draw to the attention of the Legislature the very substantial reduction in the number of those monitoring stations. Now that the Environmental Commissioner has indicated to the Ministry of the Environment that he is going to do a report on it, of course we now have the government scrambling to have some more monitoring stations put in place. But I think we have to remember the original figures. When this government came into office, there were 730 monitoring stations, and we were down to 240 by the year 2000. So I understand that when they heard from the Environmental Commissioner's office, quickly they're going to scramble to try to get those monitoring stations back in place. They still have a long, long way to go, and those of us in the opposition will try to help the minister out. We always try to help the minister out whenever we can, with his cabinet colleagues.

The member is also quite right in saying that all of the legislation will not be nearly as helpful as we would like unless we see the Ministry of the Environment restored in terms of the staff it had, the financial resources it had and the clout it had within government before this government came into office. That's absolutely essential, because otherwise it will simply be on paper and we won't have the enforcement mechanism we need.

The member also, at the beginning of her speech, appropriately pointed out her concern about the agenda being privatization—that is, the privatization of the ownership of municipal water systems, which at the present time, by and large, are owned and operated by municipalities, or by OCWA, which indeed is what we would call a quasi-crown corporation. He also mentioned, appropriately, that she sees the principle behind this bill as being reasonable. I think we'd agree on that, but it certainly does require amendments.

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**Mr Ted Chudleigh (Halton):** The member made an interesting speech. Of course the speech is always half-way between the dire areas that we're moving into and the legitimate comment that the bill provokes. That's always an interesting speech.



There are many areas where, as the minister pointed out earlier, this bill is certainly open to some amendments, providing that they move within the spirit that Justice O'Connor has pointed out from his consultations in Walkerton.

Certainly, Ontario has always been known for its clean water and its pristine environment, and the purpose of this bill is to ensure that that kind of international reputation is maintained and indeed enhanced so that Ontarians and people around the world have confidence in our ability to produce clean water, not only our drinking water but also in the lakes and streams and those areas of the province that have seen some pollution in the past. It's very important, from an environmental point of view, that the legacy of our agricultural communities, the legacy of the forest industries, the legacy of our national parks are all enhanced with clean water, with sources of water that are pure and can be relied on in the future to maintain a very high level of environmental integrity throughout the province of Ontario.

**Mr Michael Bryant (St Paul's):** I want to say that there are many residents of St Paul's who have called my office expressing great concern and hope that in fact they can one day soon have their confidence restored in the quality of water. It was obviously shaken after Walkerton, and the mission here is to restore that confidence for all Ontarians.

A number of residents of St Paul's are tenants—68% of the riding is tenants—and any changes to any utilities affecting tenants immediately automatically gets passed on to them. A very odd result has followed the so-called Tenant Protection Act—I don't even think it was the intention of the drafters; I know we've got a former housing minister in our midst, and I don't think that even he would have imagined that this would happen—whereby landlords are able to pass along the cost of the increase of utilities, but when utilities then decrease thereafter, such as happened with respect to natural gas costs in the city of Toronto, they don't then have to pass on that decrease. It results in, really, what can only be described as an unjust enrichment. It is something that the government of Ontario has got to address. It's just fundamentally unfair to permit a landlord to, in effect, double-dip, to pass along the cost but not pass along the savings to tenants. As a result, you're going to see, with changes in utility costs, skyrocketing tenant prices.

It's why, in the riding of St Paul's, the increase in hydro prices is probably going to be a double hit for those tenants, because not only will they have to pay eventually, through increased rents, for those increases, but if and when electricity prices ever go down again, they won't be able to have the savings passed on to them, and that's just wrong.

**The Deputy Speaker:** The member for Toronto-Danforth now has up to two minutes to respond.

**Ms Churley:** I'd like to thank all the members for what I consider to be a fairly reasonable tone in response to my remarks overall. I appreciate that from the minister, his expressing an interest in looking seriously at

amendments. But I have to say that sometimes I feel that, when he's speaking about the environmental bills he's bringing forward, we should see it as, "We're on the road to paradise." I see it more as a game of snakes and ladders, where you feel like you're going up the ladder for a while and then you look at the bill, because it has so many components that won't work, no resources attached etc, and you go down the snake. It's just back and forth.

We could, if we made the appropriate amendments to this bill, make it more of a road to paradise, or at least get us partially there, but it's not going to happen unless we make some substantive amendments to this bill.

I want to say to the minister as well that he talks about having to stick precisely to Justice O'Connor's recommendations. We hear the same thing about the select committee on alternative fuels: "We have to go by the letter. We signed off on that." Excuse me, Minister, you see that as a ceiling; I see it as the floor. I see it as, if we can make it better, we should. So I would appreciate it if we'd get off that subject, on both of those. If we can see a way to make those recommendations in both reports, like the coal-fired plants—if we can close them earlier, let's do it. Let's not say, "We can't, we shouldn't, because the select committee—you signed on to it, Ms Churley. Therefore, you can't discuss or suggest that we close them down earlier." The same thing is happening now with the Walkerton report. That, for me, is the floor. We should, if we can, do even better.

I don't have time to respond, and I will personally, to the comments about the dire comments I made here. We'll discuss that later.

**The Deputy Speaker:** The floor is open for further debate.

**Mr Bob Wood (London West):** It will come as no surprise to members of the House that I support this bill and that I think it's one of the most important bills we're going to pass this sitting. It gives transparency, accountability; it empowers the users of the systems. I think it's going to lead to more responsible use of our water resources and better conservation of them. I think it's a major step to giving all Ontarians access to clean, safe drinking water.

Why do I say it's going to provide greater accountability and empowerment? When you go to full cost recovery, that makes the users accountable for what they use. It also draws to their attention the cost of what they're doing.

Why do I say "empowerment"? Because they can then decide how much water they want and how much sewage they want to use. They then are in a position to decide what exactly they're going to get, and have the responsibility, of course, of paying for it. We have to bear in mind that where we do not have full cost recovery, any system, whether it's a water system, a waste water system or anything else, is subject to political vagaries. When budgets are tight, no money is available. The system therefore declines. When monies are available, the system then gets money. That, surely, is not a rational

way to plan something as important as the provision of water and waste water services.

I think also that, in going to full cost recovery, we're going to change the way people generally think about water and waste water. They're going to understand the costs better. They're going to understand there is a cost to using water. They're going to understand there is a cost to disposing of used water and other waste.

They may begin to look more rationally at what areas they think of. Traditionally, when it comes to water and waste water, we have tended to think of municipal boundaries. But if you speak to somebody who is in the business, for lack of a better term, of water and waste water, they tend to think basically of river systems. Water comes into an area; water has to go out of an area. The artificial boundaries we tend to think in terms of really are outdated and unhelpful to solving the problem. I'm hopeful, as we go to full cost recovery, people are going to change their thinking and think more of water catchment areas and drainage areas.

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I think it's also going to encourage us to look at planning rationally to have available the water and waste water services we want. There's a bad joke that I won't share with the House, but the punch line is, when it's not my money, cost is no object. I think that has tended to be, to some extent, how we've thought of water and waste water. Since we aren't actually writing a cheque each month, we don't have to worry about doing any planning. "Let somebody else do that." When we write the cheque, I think we're more likely to think about planning.

I might say, as well, that I agree with what some others have said, that there should be a subsidy so rates in smaller communities are not beyond the ability of people to pay. I would like to suggest that in implementing that, we have to be certain there's a mechanism to be sure that before Ontario—I think that's likely to be who's going to be writing the cheque—writes a cheque to anyone, they can demonstrate they're getting the best possible value for the dollars they're spending, before they have the opportunity to spend other people's money.

I'd like to turn for a few minutes to some of the details of the proposed bill.

If passed, the act would require all owners of systems to undertake a full cost accounting of their water and sewer systems. The detailed analyses are going to include all operating and capital costs, all sources of revenue, and the investment required to maintain and expand their systems.

Bill 175 will also require system owners to develop comprehensive asset management reports and then provide a plan for implementing full cost recovery.

All of this, when you think about it, sounds like fairly common and good business practice, but we have to face the fact that there are a significant number of systems out there now that are not doing all these things, and that's simply a valid critique of the current system. I think the full cost recovery complements what I just set out as the provisions in this bill, and vice versa. I think over time

we're going to notice a real change for the better as we see that kind of planning and discipline take hold and make the system work a lot better.

Judge O'Connor, in his report, said, "In my opinion, if passed into law, the act"—that being the act that's before the House today—"will address many of the important issues concerning the financing of water systems.... The requirements for a full cost report and cost recovery plan, as generally expressed in the proposed act, are in my view appropriate."

I think what Judge O'Connor says is dead on and I think time is going to prove he is indeed correct.

He also strongly supported the implementation of asset management and full cost recovery plans in relation to drinking water treatment and distribution systems. He made far-reaching recommendations. As the members of this House know, we're implementing all of them.

Consultation is essential. As we have done with the proposed Safe Drinking Water Act and are currently doing with regulations for the Nutrient Management Act, we will continue to encourage public and stakeholder involvement.

I might remind members of the House that the Red Tape Commission, which has a mandate to provide regulatory excellence in Ontario, has as one of its principles that where you have regulation, as we're proposing here, you must also have consultation with those affected. I think the act implements what is known to be one of the solid principles of good regulatory policy.

We are going to hold extensive meetings with our municipal partners and others to ensure that decisions made on this bill make sense. I think the Minister's made it crystal clear that we are prepared to listen. We want to hear from the people who will be most directly affected, because they have the experience and the expertise to come up with needed solutions.

The Ernie Eves government is investing more than half a billion dollars in the next two years on clean, safe drinking water for the people of Ontario. The government will deliver on its budget commitment to establish the \$500-million clean water legacy trust, and the Clean Water Centre of Excellence in Walkerton to provide access to the best scientific knowledge, research and technology and training in the management and monitoring of our safe drinking water.

I think, by the way, that the centre will be well advised to look at what public-private partnerships may be available to assist them in their work.

We heard some comments earlier today on what entities should deliver these services. I'd like to put on the record my view that public-private partnerships in the right circumstances can be of great benefit to the communities involved and to the people involved.

To date, the Eves government has provided municipalities and conservation authorities with over \$14 million to conduct groundwater studies, the largest investment in groundwater source protection in the province's history.

I might say, I'm going to spend half a day tomorrow with the Upper Thames River Conservation Authority to



see their work and ideas in this area. I am told that they already have some good working models, and I hope they will provide their experience and their expertise to the centre in Walkerton. I hope they're called upon to do so.

A further \$5 million will be provided this year to municipal stakeholders to undertake further work on source protection.

In addition, the government launched the \$6-million provincial groundwater monitoring network in co-operation with Conservation Ontario, its member authorities and municipalities across the province.

It's time that all of us start considering the true cost of the water and sewage services we take for granted. It's the only way we can ensure that these services will be there to support the health and prosperity of future generations.

I encourage members of this Legislature to support the Sustainable Water and Sewage Systems Act as well as any amendments that come forward during consultations that they feel would be helpful.

Mr Speaker, I know that the opposition wants to get this bill through as quickly as possible and I know they want to put on the record a number of ideas they feel would be helpful in terms of what should be in the act and how to get it through quickly. I am therefore going to yield the balance of my time so that the opposition can put their ideas forward more quickly and we can get this bill through more quickly.

**The Deputy Speaker:** Members now have up to two minutes for questions and comments.

**Mr Mike Colle (Eglinton-Lawrence):** Certainly we're all in favour of doing something about water infrastructure. It has been an area long neglected. I remember on local council in the city of Toronto for many years people would say, "Well, what's the use of spending money under the ground? People can't see it. Let's spend money on our parks. Let's spend money on more asphalt." They were always very reluctant to dig up the asphalt to put in sewers.

In the old city of York, we had combined sewers. I don't know if anybody here knows what a combined sewer is, but a lot of the city of Toronto is still on combined sewers. Maybe in Hamilton, Mr Speaker, it's the same thing. So something has to be done.

I do support the direction of this bill. I think there are a lot of good things in there that we have to look at. I know our party is looking at maybe making it a bit stronger. I hope that the Minister of the Environment will be open to our suggestions. I think we've got some good ones. But as I said, we think there are some things that can be done with this bill that will make it not be only a patchwork bill but a real breakthrough bill that we need, literally and figuratively.

Maybe one of the things this debate or discussion will do is encourage people to understand the importance of investing in infrastructure, whether it be the supply of water, the consumption of water and also the disposal of water. It's very expensive and very complex, but the one good thing we have going for us in Ontario is that we've

got some of the best engineers, workers in this field, in the world. So they can do the job. We've got to give them the go-ahead to do it and hopefully find the resources for them to complete the job.

I think we're maybe at the beginning of something that can be fashioned into something manageable to solve this serious challenge that we have in Ontario.

**Ms Churley:** I must admit I couldn't quite hear every word that the member for London West said. I don't know if it's my hearing today or if he was talking softly.

*Interjection.*

**Ms Churley:** Yes, that's right. The first thing to go, maybe.

From what I did hear, I understand that he's in support of the bill, and no, we're not surprised by that. I was expecting that the member would be supporting the bill, and I believe he was also saying we need to give it fast passage so we can move ahead.

**1700**

I do want to point out that you will recall that the member for Halton said in response to my comments earlier that I had made some legitimate comments and then there were some dire—he used the word “dire”—warnings, or something like that. He used “dire.” I do want to say that it's really important for us, and government members should do it as well, to examine these bills very closely for the flaws.

I've got to remind you of this, speaking of dire warnings. Before Walkerton ever happened—in fact, at the Walkerton inquiry I was there when the Premier was being questioned. Two questions that I had asked in the House previous to the tragic occurrences in Walkerton, directly to the government, to Mr Harris and to Mr Sterling, who was then the Minister of the Environment, suggesting that there could be dire consequences as a result of the way they privatized the labs, and at the time I was laughed at—“What do you know? What are you talking about?”—and put down and just shoved aside. And then it happened. Eva Ligeti also made these warnings, and it was shoved aside.

Sometimes it does sound like dire warnings, but now we know that they can come true. It should be a lesson to us that when these kinds of concerns are raised, they should be taken seriously and dealt with.

**Mr McDonald:** Clean, safe drinking water is definitely worth the investment, and I just want to congratulate the member from Toronto-Danforth, who has a passion for the subject, as we do, to ensure that Ontarians have safe, clean drinking water. I do congratulate you, because you show a lot of passion on this. I have known for the past five or six months that I've been here that you spoke very clearly about your beliefs, as we do.

It's unfortunate that the official opposition doesn't share the passion you and I do on safe, clean drinking water. They stand up and they say, “Yes, but...,” “Yes, but...,” “Yes, but...” Obviously, they don't have a plan or any idea what should and shouldn't be in this legislation, or I haven't heard any of it. But, Ms Churley, I congratulate you again for your passion on this.

**Ms Churley:** And my knowledge.

**Mr McDonald:** I share your beliefs—

**Ms Churley:** What about Bob's passion?

**Mr McDonald:** —and I support what the member from London West said. On this legislation, there's no question that we have to consult with municipalities.

*Interjections.*

**Mr McDonald:** You know, I sat and listened to all the members speaking on this bill. I didn't interrupt them, and I don't understand why they're yelling across at me when I'm saying this is a great piece of legislation and I agree we need to protect the citizens of Ontario with regard to clean drinking water.

I'm happy to turn it over to you to make some comments. I guarantee I won't say anything when you stand up and speak, and I kind of wish you would share the same thought.

**Mr Mario Sergio (York West):** I was listening very attentively to the previous speakers, especially the advocate from Toronto-Danforth. She has been a true advocate on the issue, as well as the member from London West. I can see that both of them, and previous speakers on the issue, are taking the issue quite seriously.

I hope the government will take the issue indeed very seriously. Yes, we hope to see this particular piece of legislation going to hearings, and I hope that the government indeed, recognizing the importance of the legislation that they are proposing here, will allow sufficient time to hear all those concerns so indeed we can go on and approve of something that will be delivering safe, clean drinking water from the source to the tap. We want nothing less, and I'm sure they don't want anything less. We will be proposing a series of reasonable amendments which will be reflecting the views, the concerns, the recommendations of the O'Connor gospel, if I can call it the gospel, because I think we all praise those recommendations in that report. Only then can we say that the government has taken not only the issue very seriously but that it's addressing the concerns related to safe drinking water, that it's taking the report from Justice O'Connor very seriously, and only then can we say, yes, every member of this House should support this report. Until then, we'll see what happens to the public hearings and we'll see when this will come back to this House.

**The Deputy Speaker:** The member for London West now has up to two minutes to respond.

**Mr Wood:** I would like to thank—

**Ms Churley:** Show some passion, Bob.

**Mr Wood:** I'll do my best. I would like to thank all members who commented and offered responses. Reference was made to outdated infrastructure and an example was given in the city of Toronto of outdated infrastructure. I would like to remind the House that that's exactly the reason we are going to full cost recovery. Once we get this away from the vagaries of politics and into rational planning, I think you'll find there will be a lot fewer instances of that kind of problem. In fact, I'll be so bold to say there will be practically none.

We have heard some discussion about developing expertise here. One of the earlier speakers talked a bit about some of these larger companies. I think we should bear in mind as we consider this bill that these large entities develop very considerable expertise and export it to other countries. That's what the opportunity is that we have here. We can develop an expertise which will be an exportable business, for lack of a better term. We'll be in a position to share our expertise with others to the mutual benefit of ourselves and them.

Reference was made to regulations. I certainly think this is a bill where the devil is in the details. I intend to follow the regulations and policies that are brought forward to implement this bill very carefully, because if those aren't right, the whole purpose and effectiveness of the bill is going to be frustrated.

We heard a reference made to problems being on the horizon. Warnings were given and so on. I think that's absolutely right. I think we could have seen something like Walkerton coming. I think we need a bill like this to avoid another Walkerton.

**The Deputy Speaker:** The floor is open for further debate.

**Mr Gerry Phillips (Scarborough-Agincourt):** I am pleased to join the debate on this bill. I carry around with me this document, *Doing Business in Ontario*. The third paragraph in it says, "Ontario means 'beautiful' ... 'sparkling' ... 'shining' ... water' in the languages of the aboriginal Iroquois, Mohawk and Huron First Nations."

It was sad. I think Walkerton was, in the last 10 years, perhaps the biggest story coming out of Ontario, kind of attacking the very meaning of our name. The document also goes on to point out that in Ontario water costs are among the lowest in the world, 35% cheaper than in the United States. That, of course, is going to have to change as we move to full cost recovery.

The last point I'll make here is that one of the things the report talks about is the number of regulations that were eliminated. I am very supportive of making it easier to do business in Ontario, provided we don't run the risk of sacrificing our basic health. In my opinion, the combination of a lack of priority on the environment over the last few years, a very dramatic reduction in the staffing in the Ministry of the Environment and the elimination of so much of the control, the oversight that we used to have, I think without a question of a doubt has contributed to this very dramatic problem we have with the quality of our water.

1710

I'm our party's finance critic. I'd like to focus on the practicalities of the full cost recovery and to raise a concern our party has about the need for this bill to ensure that, in our moving forward to full cost recovery, we have made certain that all the municipalities across this province are able to make it happen.

The area I represent is called Scarborough-Agincourt. It's three kilometres by three kilometres. There are 110,000 people living in that very confined area. You can imagine that full cost recovery to deliver water to



110,000 people in an area of three kilometres by three kilometres is quite a different matter than full cost recovery delivered to a community of 3,000 people spread across a considerable amount of land.

The reason I raise this is that I have learned from experience here that this is a government that will say, "Trust us. We're going to let this horse out of the barn," only to find that, months or years later, the public of Ontario will come back to us and say, "Listen, you didn't look after my interests. You didn't make sure my interests were protected."

I say to all of us here that I don't think there's a question of a doubt that full cost recovery is a logical concept, that we do need to invest substantially in our water infrastructure, but—Mr Wood said this—the devil is in the details. For many communities across this province, it will be shocking when they find out the real implications of full cost recovery.

So what needs to be done? There need to be some mechanisms built in here to take that into account and to make certain this concept can work in reality. I understand the need for substantial investment in it. Conceptually, I think all of us recognize that there is a need for us to pay what the cost is to deliver our water, but there will be people in this province in shock when they find out that just because of where they live and the inherent cost in doing that, they're going to be faced with a huge, brand new tax.

The reason I focus on this is that I've learned my lesson. I remember the day the last election was called, May 5, 1999. That's the day the 407 was sold, literally that day. The new owner proudly brought a cheque down here for \$3.1 billion and gave it to the then Minister of Finance, Mr Eves. The election was called and the profits from that were used as a great election slush fund. At that time, we were told, and the users of the 407 were told—it's in the government's release—"Listen, don't worry. We have controls on these tolls. Tolls cannot go up, after 15 years, more than three cents a kilometre." That's after 15 years, they were told. Well, that was not the case.

As a matter of fact, the owner of the 407 tells the public, tells the investors, they can take the tolls up without limit. As a matter of fact, the 407 is the most profitable toll highway in the world. The original owners on May 5, 1999, the day the election was called, brought an equity investment of \$750 million. It's now worth four times that. The reason we all know that is because one of the owners sold a substantial portion of their investment for four times what they paid for it. Why is that? It's because the 407 users were sold down the road.

We talk to trucking firms that say, "Listen, when the 407 first sold, we were shipping our goods at midnight for four cents a kilometre. It's now costing us 11 and a half cents a kilometre." If you look at the 407, there are very few trucks on it, because they can't afford it. The reason I raise this is because that's the first lesson I learned about this government's protection of the public. The owner has the best toll road in the world.

I have another issue with it, by the way: amazingly, Mr Al Leach is on the board of the 407. Mr Al Leach is a well-regarded individual. He sits on the board of the 407, and there's nothing wrong with that. He's a former cabinet minister from here and knows the business well. But the government has just appointed him to sit on GO Transit. Here we have the public interest trying to be served by GO Transit and, believe me, every single decision GO Transit makes will have an impact of millions of dollars on the 407.

If you wonder why we are cautious about trusting the government when they say, "Just let it go"—Mr Wood says the devil will be in the details, but the problem is, we don't get a chance to comment on the detail. The detail will be done through what's called regulation. The Legislature never gets to debate or even see it before it's simply published as law.

My first experience, as I say, was on the 407. So what this bill must contain is some assurances that, in reality, communities are going to be able to afford full cost recovery. In major urban areas, I frankly don't think it'll be a problem, but I can visualize that in many communities across this province it's just not going to be practical. We are either going to force them into an enormous cost—unless we demonstrate how we're going to handle that.

The second example, frankly, is what we're going through right now with hydro. I don't know about other members, but I am being flooded with calls from people, many of them businesses, by the way. Local business in my community: their increase in hydro is putting them kind of on the brink. But once again, if you remember, we were told by the cabinet, "Just trust us. Let it go. The market will handle it all. Don't worry. It has been a hot summer. It'll sort itself out." Well, I'm not very confident in the government and in the government's plans, having been through the 407 and having been through—so far, all of my experience in hydro has been that the people in the famed marketplace will do all right, but the people who are paying the bills I have some serious concerns about.

The thrust of this approach, of the full cost recovery, is for two reasons: one is to make certain that we all understand the real cost of water, although, I repeat, the real cost of water will vary dramatically, depending less on how much you use and much more on where you live. The real cost of water for me, I think, will be quite low, because Toronto will put a pipe out into Lake Ontario, a ready source of water that really is not Toronto's water—I guess it's Canada's water—but we will tap into that. I live in a community where there is a huge concentration of people. So full cost recovery, for me, might be great. Full cost recovery for water in Kinmount—I think the Minister of Municipal Affairs used that example in the debate—is going to be quite different. The people of Kinmount will say, "Listen. I'm accessing the same kind of water as you are, but I'm paying four or five times what you're paying."

So the first issue is the embracing of full cost recovery but not knowing what it really means in practical terms.

1720

The second is—make no mistake—governments across North America, maybe in the world, are looking for creative ways to spend money on capital without it showing up on their books. I'll give you a couple of examples here in Ontario. In Ontario, we now spend virtually zero on our books for elementary and secondary school capital. If you look in the budget book under school capital, it's virtually nothing. It used to be \$500 million a year. It's now down—education: \$4 million, \$15 million, \$10 million. But the government says, "No, we're spending at least \$500 million a year." Well, where is that \$500 million a year of capital spending? It is now off the province's books, hidden on school boards' books. They've now had to set up a financing authority. It's costing the people of Ontario probably \$20 million a year in extra interest costs simply to hide the debt, because school boards have got it off their books but they're paying substantially higher interest rates solely for that.

The government talks about a \$1.2-billion investment in 20,000 long-term-care beds. They've spent nothing so far. They haven't spent \$1.2 billion. They've told Extencicare and Leisureworld and other organizations, "You go borrow the money and we will pay you, over the next 20 years, \$10 a day per individual."

The reason I raise that is that this is another move to move capital expenditures off the government's books. Rather than the province saying, "Listen, a role we've always played in the province is to ensure that no matter where you live, there is some reasonable opportunity for you to have clean water, because if your local municipality doesn't have the resource base to fund it, the province will step in and help to build that," we're moving away from that. We're now saying it's going to be basically user-pay. As I say, we're being asked with this bill to essentially, on faith, buy that that will work.

I think there should be a mechanism in here that says that in those cases where it is unreasonable to expect the user to pay for full cost recovery—and it has nothing to do with people who are using water indiscriminately; it just happens to be where they live—and where the municipality has the kind of tax base that cannot support it, there should be some mechanism within the bill that ensures that we are going to be able to accommodate that.

If I hadn't been through the experience of 407, where we were told—in fact, I think the Premier still brags about the 407 as one of the world's great deals. Well, it's a great deal for Bay Street and if you're one of those owners. SNC Lavalin are just so delighted because they bought, I think, about 24%. They sold a quarter of it. They've recouped all the money they used to buy their first 24% and they've still got 18% left. So they love it. The government liked it because it wasn't just full cost recovery; the government sold it for twice what it cost to build. How was that? Because they sold it for 99 years when they said they were going to sell it for 30 years.

They let the owner take the tolls up without limit. If you don't pay your tolls, by the way, you don't get your licence plate renewed.

The second example we've all come to live with, and we're right in the middle of it, is this hydro mess, where we were told, "Listen, let's just let the marketplace handle this." As I say, my office has been deluged with both individual and significant company problems with hydro.

One of my colleagues talked about how the sewer and watermain people in this province are terrific. They know how to do this work. There is a substantial capital deficit in this area that has to be accommodated. In many respects, we have neglected this area. I think in the last six or seven years the environment has been an area that, for whatever reason, has not had the focus.

So there's no question of the need for action. There's no question that we have to find a way that we now more fully appreciate the real cost of water. There's no question that individuals, and companies, are going to have to, in the future, look to conserve water in a far more aggressive way than we have in the past. There's no question of any of that.

But I say again, the challenge for us is not with the concept. It will be that we are being asked to essentially let this go without any assurance at all that those communities and those individuals who are going to be faced with, frankly, I think in many cases, quite dramatic increases in cost—that we're going to find a way to accommodate them.

I go back again to the area I represent, where I think this may very well be a boon to us because we have ready access to considerable water, huge concentrations of people, an existing infrastructure—much of it comparatively new, I might add. But that's not going to be the case in much of the rest of Ontario.

So if we want access for everyone to clean water and we want people to pay their fair cost, it may not be just as simple to say, "Everybody's going to pay full cost recovery." I believe this bill should incorporate a mechanism for municipalities and individuals, where there's some flexibility and where there's some funding to accommodate that.

That's the essence of my concern, and certainly it's part of our party's concern about this bill. Overall, we need to move forward on it. Overall, in many jurisdictions, we are not paying the real cost of water, and that's going to have to change. But it cannot be a one-size-fits-all solution that, in many respects, I think this bill leads to. There is reference to possible solutions, but it's not clear at all that the province is going to be part of that solution or that within the bill there is a solution for many of the issues that I've raised.

We look forward to the bill going to committee, an opportunity to try and get the bill amended so we can incorporate some flexibility and make sure that nobody in this province is left behind when they're looking for clean water that they can also afford.



**The Deputy Speaker:** Members now have up to two minutes for questions and comments.

**Mr Peter Kormos (Niagara Centre):** I listened carefully to this member. I listened carefully to Marilyn Churley, the environmental critic for the New Democratic Party. I've read the legislation carefully.

The title to the legislation is, in and of itself, very attractive, and nobody could argue with that proposition: An Act respecting the cost of water and waste water services. This goes far beyond "respecting the cost"; it, indeed, opens the door in a number of insidious ways, both the front door and the back door, to not only the implied prospect of the privatization of water services but the forced, the imposed privatization of water services by the provincial government.

Down in Niagara where I come from, cities like Welland and Pelham, Thorold and, yes, St Catharines, where I represent south St Catharines, have been struggling to provide consistent provision of quality water. There's been extensive debate about water metering versus per-unit payment of water. There has been an incredible increase in water rates down in those communities. Yet, at the same time, we recognize that those communities, all of them historic ones, have some very old infrastructure in part of the water delivery system.

Let's make one thing perfectly clear. If this government was truly interested in safe water, this government would be supporting the maintenance of water provision and waste water management in the hands of the public sector, and it would be making significant contributions to those municipalities that are historic and have aging infrastructure to ensure that they're brought up to contemporary standards. We've seen this government abandon public water supply. We saw the consequences in Walkerton. Folks down from where I come from in Niagara expect their provincial government to assist them in the financing of the maintenance of safe drinking water.

1730

**Mr McDonald:** I enjoyed the debate and conversation regarding clean, safe drinking water for all Ontarians. I want to point out something here. Commissioner Dennis O'Connor has clearly indicated his support for sustainable financing. The commissioner has made several references to the need for municipalities to ensure their water systems are adequately financed. I think this is what this legislation is doing. It's responding to the recommendations Justice O'Connor has put forward. I see this legislation as taking those steps to ensure that all Ontarians have clean, safe drinking water. It's worth the investment.

I've heard the member opposite from Scarborough talk about the 407. I don't know, maybe it was raining and water was on the road and that's how we kind of got 407 into the Sustainable Water and Sewage Systems Act. But given that, I believe we have to do the right thing, and the right thing is to support this legislation. Again, it is a great investment. I support this legislation. I think it's very important that we assure all Ontarians that when they turn that tap on, it's safe to drink. I think we all want

that, there's no question. I say that no side needs to take credit in this. We should all do the right thing, because in the end good things happen when people don't try to take credit. I think all of us, as members who represent Ontarians, support this legislation that will protect our drinking water.

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** I'm very happy to have an opportunity today to make some comments on the presentation that was made by my colleague from Scarborough-Agincourt. I have some concerns with the legislation. I guess the concerns are more with what's not in the legislation, particularly when I go to that part of the bill that talks about the sources of revenue. That is an area of interest for the communities I represent in the province.

Many of the communities in my riding are municipalities of perhaps 800 to 1,200 residents. What has been presented to me by representatives in those areas is that, for those small municipalities, it costs the same amount of money to put in a water treatment system for a community of 1,000 residents as it does for a community of 10,000 residents. So the question, to me, is that we don't have same resource base to pay for that and is it right that our residents should have to pay 10 times more to build this system in our communities? While it sounds fair to talk about full cost recovery, I would suggest that there are many communities, certainly in my riding—I'm sure there would be communities in the riding of North Bay—that would have a great deal of difficulty if they had to bear the full cost of installing a new water system. If you have a small community of 1,000 residents, they're going to have a challenge making that commitment, and yet there is nothing in this legislation that even suggests the ministry is going to consider a plan to assist those smaller municipalities.

I think that we want to have some assurances that all of the people in Ontario will be able to access safe, clean water, and it shouldn't have anything to do with how wealthy they might be.

**Ms Churley:** The member for Scarborough-Agincourt quite rightly points out the need to carefully examine the implications of full cost recovery and that it can't be and shouldn't be—in fact, I wouldn't support a one-size-fits-all because it would never work. The member for Nipissing, in response, points out that Justice O'Connor—he's right—supports the concept of full cost recovery as well, and so does the environmental community, and so do I, within a certain framework. But I've got to point out to you that I'll bet people in Ontario, as soon as they find out what's in this bill—that it's going down the road of privatization—and in light of what's going on with the privatization of hydro and rates going way up, are going to be quaking in their boots and it could become an election issue. So we had better find out what kind of fair and equitable cost recovery process we're talking about here.

I also want to point out to you—and you can't leave this out when you talk about Justice O'Connor—that on page 313 he acknowledges that the downloading to the

municipalities would cause a problem for them to be able to do it. He also acknowledges quite explicitly that in some cases the government would have to step in. But I want to remind you that on page 313 of part two he says, "In light of recent restructuring in the municipal sector, especially the transfer of ... open-ended social service costs (eg, welfare) to municipalities in 1998, there is currently some uncertainty about the ability of municipalities to finance all of the programs they are responsible for, including water services. Municipalities may be reducing spending (including borrowing) to plan for potential increases in social service costs." He goes on about that. Later, on another page, he talks about the need for the province to continue to be involved.

So let's not be selective. He makes it very clear that the government, before doing this—passing on even further costs to municipalities—should look at the costs that it has already downloaded to them.

**The Deputy Speaker:** The member for Scarborough-Agincourt now has up to two minutes to respond.

**Mr Phillips:** I thank the members for Niagara Centre, Nipissing, Hastings-Frontenac-Lennox and Addington, and Toronto-Danforth, all of whom touched on the key issue from our perspective. The member for Nipissing said that Justice O'Connor said they must be adequately financed. That's absolutely the case. That's not the question. The question is how.

I too have looked carefully at the cost recovery plan in here, and I would just say that I think municipalities look to Queen's Park to have some idea of how these things are actually going to work. This proposal, without some explanation of how those communities that, quite frankly, I don't think can make this happen without some support from some other jurisdiction—their own ratepayers can't afford it and their property tax base can't afford it. This looks like kind of a Toronto proposal, rather than an Ontario proposal. As I say, for the area I represent, 110,000 people living in an area three kilometres by three kilometres, you can see how full cost recovery can work very nicely there. But we are here to represent the people of all of Ontario. I go back to my concern. The government too often has said, "Don't worry. Just let it go and we'll deal with it." I've had bad experiences when that has happened, whether it be the 407 or our experience on hydro right now. People now are saying, "Why didn't you do something about this before it hit us?" That's the issue, I think.

**The Deputy Speaker:** The floor is open for further debate.

**Mr McDonald:** I am pleased to take part in the debate on a subject matter that is of crucial importance to all of us: safe drinking water, and specifically our proposed Sustainable Water and Sewage Systems Act. The proposed bill continues the decisive action this government has taken since the summer of 2000 and demonstrates that this government is sparing no effort to give Ontario residents access to clean, safe drinking water. The Sustainable Water and Sewage Systems Act makes for good

planning, promotes water conservation and is an integral part of this government's clean water strategy.

In the words of Commissioner O'Connor, this bill, if passed, "will address many of the important issues concerning the financing of water systems.... The requirements for full cost report and cost recovery plan, as generally expressed in the proposed act, are in my view appropriate"—Justice O'Connor.

1740

The act has been reintroduced to give legal authority to the Minister of the Environment, as announced by the Premier in August 2002, in keeping with the Premier's announcement.

We are moving forward in such a way as to ensure a full and robust consultation process. We will continue to meet with our key stakeholders to help explain aspects of the proposed legislation and to seek their input in making the legislation workable.

We also agree that a fundamental cornerstone needed to ensure safe and clean drinking water is sustainable financing of municipal water and sewer services. This is absolutely essential. The proposed bill before you is an intangible recognition of that requirement and is the government's next step in fulfilling Commissioner O'Connor's recommendations.

We believe that one of the crucial success factors behind implementing Commissioner O'Connor's recommendation is the government's proposed Sustainable Water and Sewage Systems Act. The driving force behind this proposed act is the concept of full cost accounting and recovery. Our government believes that legislating full cost accounting and recovery for municipal water and sewage services is one of the best ways to protect public health and our environment.

The principles of full cost accounting and recovery are fundamental to sustainability and are key aspects of Commissioner O'Connor's recommendations in the report of the Walkerton Inquiry, part two. Full cost accounting and recovery provide us with an accurate picture and a transparent method of identifying all costs, both operational and capital, associated with water and sewage systems.

As you have undoubtedly heard, Commissioner O'Connor made several references in his report to the need for municipalities to ensure that their water systems are adequately financed. To quote Commissioner O'Connor, "Over the long term, safety depends on stable and adequate financing to maintain the water system's infrastructure and its operational capacity to supply high-quality water consistently."

If passed, the new Sustainable Water and Sewage Systems Act will make it mandatory for municipalities to assess and cost-recover the full amount of water and sewer services. The proposed act will ensure that water and sewer systems generate sufficient revenue to fully recover all their long-term operating and capital costs.

The concept of full cost recovery is not new. Municipalities are already able to apply full cost recovery if they wish, and in fact some municipalities have implemented



this to varying degrees. But as the saying goes, the devil is in the details. Although some municipalities claim to be recovering full costs, they don't know the extent to which they are recovering all of their long-term investment needs.

The proposed act will give us the full picture of what it costs municipalities to provide water and waste water services by requiring municipalities to do cost accounting according to a regulated standard.

Specific reporting requirements and detailed analyses would include all operating and capital costs; financing costs; renewal, replacement and improvement costs; infrastructure and investments required to maintain and expand the systems; and of course all sources of revenue.

In order for the proposed Sustainable Water and Sewage Systems Act to be effective, it is crucial that the government understand and appreciate the direction and specific activities municipalities are undertaking in their communities. The act therefore proposes that municipalities be required to provide their plan for full cost recovery. Underpricing of water can lead to deferred maintenance and over-consumption by water users. Deferred maintenance ultimately leads to deteriorating infrastructure and potential risks to public health.

This bill includes a provision to ease the transition to full cost recovery, and I think that's important. Through section 10(5), the government can set limits ensuring cost recovery rates. Legislating full cost accounting and recovery ensures that safe water is a priority municipal service—and that's very important—that cannot be traded off with other services. The standard of service is mandatory. I think that's very clear and very important.

As mentioned earlier, if it is passed into law, Bill 175, the Sustainable Water and Sewage Systems Act, will set a benchmark for even higher environmental standards. The proposed bill is one more example of this government's commitment to provide safe, clean drinking water. It is a commitment reinforced by this government's clean water strategy and is backed by a solid record of action, and while there is much to be done, this government continues to make significant progress.

I'd like to now take a look at that progress. Through our clean water strategy, this government will invest more than half a billion dollars over the next two years in safe, clean drinking water for the people of Ontario. The following examples touch on these investments and set the stage for a strong environmental future.

On August 8, 2000, the government launched Operation Clean Water, an ambitious action plan aimed at placing Ontario at the forefront of drinking water protection. Our swift action was a signal to the people of Ontario that we will do everything in our power to protect their drinking water. We are making good on these promises. Since Operation Clean Water was announced, we have significantly strengthened the safeguards for Ontario's drinking water.

The members of this Legislature will recall that in August 2000 they put in place the drinking water protection regulation. This regulation was a milestone

because it gave Ontario its first-ever legally enforceable standards for drinking water quality, as well as strict requirements for testing, treatment and reporting. This regulation gave Ontario its first-ever legally enforceable standards for drinking water quality. I think that's very important.

To ensure compliance with this regulation, we now have increased both the number of inspectors and inspections. The Ministry of the Environment now annually inspects all municipal water systems, and it orders corrective action whenever a problem that might lead to adverse health effects is found.

We also put into place the new drinking water protection regulation for smaller waterworks serving designated facilities. This regulation applies to waterworks in schools, day nurseries, nursing and retirement homes, and social and health care facilities in the broader public and private sectors that do not fall under the existing drinking water protection regulation.

The smaller facilities regulation is particularly important because it protects the most sensitive people in our society, including infants, children, the elderly and those with compromised immune systems. Particularly important, it does protect the most sensitive in our society.

#### 1750

Our clean water strategy builds on significant actions undertaken through Operation Clean Water. This year the government will provide \$245 million, including investments to help municipalities upgrade their water systems to meet our tough new standards and make improvements to their waste water systems. Clean, safe drinking water is worth the investment.

The government will also deliver on its budget commitment to establish the \$50-million Clean Water Legacy Trust and the Clean Water Centre of Excellence in Walkerton to provide access to the best scientific knowledge, research and technology and training in the management and monitoring of our safe drinking water. Additionally, the government plans to consult with key stakeholders on watershed-based source protection planning issues this fall.

As well, the government, through SuperBuild, has posted the first four of eight studies on the province's water and waste water infrastructure. Produced in co-operation between the province, municipalities and third-party organizations, these studies provide up-to-date data on the condition, organization, investment levels, governance and the price and financing of Ontario's water and waste water infrastructure.

These studies will assist in formulating policy options to support Ontario's goal to have safe, clean and reliable water and waste water services. The first four studies are available on the Internet at [www.SuperBuild.ca](http://www.SuperBuild.ca); the remaining studies will be released later this year.

It is evident from these examples that our commitment is unwavering and the momentum is strong. As I mentioned earlier, we are now eager to move forward and complete the full implementation of Commissioner

O'Connor's recommendations on full cost accounting and recovery.

Environmental improvement is a continuous journey, and it is a journey that we must travel together. That's important. We must travel together. We all represent the people of Ontario; we all want clean, safe drinking water for the people of Ontario. I implore my colleagues on the other side of the House to please support this legislation to provide clean, safe drinking water to all people of Ontario.

As a government we have the responsibility to examine all points of view. As we continue the debate on the proposed Sustainable Water and Sewage Systems Act, we will seek the views of our municipal partners and other stakeholders. That's very important. There's no question that we have to seek out and get the views of our municipal partners. We value their expertise. As the former deputy mayor of the city of North Bay in the great riding of Nipissing, I can tell you that in my first 12 months we put in place a plan to install a UV water treatment system on our water supply, and we started the EA process to put in water filtration within 18 months of being elected. So all the members of this new council took on the responsibility of providing safe, clean drinking water for the people of North Bay. We took it to heart. We felt it was our responsibility to make that happen, and I bring that commitment here to Queen's Park on behalf of all the people of Nipissing, on behalf of all the people of Ontario. It's our responsibility.

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** A promise made, a promise kept.

**Mr McDonald:** I agree with you: a promise made is a promise kept, no question about it.

We are open to hearing amendments that make sustainable water and sewer financing work for our partners, but as I said in my opening remarks, our government's commitment to safe drinking water is a non-negotiable priority.

I made that statement during my campaign when I was running for deputy mayor. I said, "Clean, safe drinking water is a priority—unwavering commitment to provide safe, clean drinking water," and I bring that to Queen's Park with me. I believe that, if passed, this bill will become an important legacy of our government, of all of us, and I encourage members of this Legislature to support the Sustainable Water and Sewage Systems Act.

This is Thursday and I'd be happy to turn it over for comments and questions.

**The Deputy Speaker:** Members will now have up to two minutes for questions and comments.

**Mr Sergio:** I'm truly encouraged to hear the remarks from the member for Nipissing that they would like to see this bill approved and that they are willing to make sure that this ultimately will be delivering safe, clean water into our homes and our places of employment in Ontario. I only hope the government will be as serious as the member has expressed, and as other members have expressed as well. We have not seen it be so in the past, but this is a very important piece of legislation. It won't

be passing as such, but if it should, then it won't be as good as the members of this House who have spoken have said it will be, unless the government is really serious about sending it for public hearings, listening to the various members, the public, the various groups, those that will show a serious interest, and then coming back to this House.

Only then will we see if the government, not the individual members but the government as a whole, will have the responsibility to come back to this House and say that this bill deserves the approval of the House because it's carrying out fully the intent that is in the report of Justice O'Connor. Only then can we say that we are acting responsibly in this House, and only then will the bill deserve the approval of this House.

As I said before, from the source to the tap, regardless of whether it's in our places of employment or our homes, we need safe, clean drinking water, and I hope that finally the bill will do just that.

**Mr Kormos:** I actually listened to the speech read by the member from Nipissing. I sat here patiently. When all is said and done, it still requires any one of us to go back to the legislation, and what the legislation does quite clearly—this goes all the way back to Bill 26. Remember Bill 26, the omnibus bill? It started to lay the groundwork, oh so obviously, for privatization. The boilerplate sections that had their genesis with Bill 26 now recur in legislation after legislation, in bill after bill.

What this bill clearly permits, and what's particularly onerous about this legislation, is the imposed privatization of municipal water services. Take a look at section 21, in particular subsection (3), where the minister reserves the power to order, by fiat, the privatization of part or all of a municipal water supply system or, I presume, a waste water system for the purpose of achieving this so-called goal of user-pay/cost recovery.

At the end of the day this government is abandoning the traditional provincial role of assisting municipalities like the municipalities I represent—Welland, Thorold, Pelham and St Catharines, typical of Niagara region—in ensuring they have the capital funds available to build the infrastructure that can continue to provide safe drinking and that can continue to accommodate waste water in those municipalities. The government's abandoning those cities, not just in Niagara but across the province.

**1800**

**Mr Bart Maves (Niagara Falls):** It's a great pleasure, as always, to hear the member from Nipissing rise and speak in the Legislature. He's been a great asset since he won by an avalanche in his riding. I know that his popularity continues to grow in his hometown since that election and that in his next one he will at least double his margin of victory.

The legislation the member supports, and that I support, at its simplest requires all owners of water and sewer systems, mainly in municipalities, to undertake detailed analyses of their systems, including all operating capital costs, all sources of revenue and the investment required to maintain and expand their systems. This is a



move that the Ontario Water and Sewer Association, many municipalities, environmentalists and a whole host of folks have been after for many years, and it's high time we moved on it. Like the member for Nipissing, I support the legislation.

**The Deputy Speaker:** A final question or comment.

**Mr Kormos:** On a point of order, Mr Speaker: It's well past 6 of the clock.

**The Deputy Speaker:** We're in the midst of doing questions and comments. As the member well knows, it's at the discretion of the Speaker whether to complete those rounds of comments or not, and I have chosen to complete them. Therefore, there is still one slot left, if anyone would like it. If not, then I'll look to the member for Nipissing for a response for up to two minutes.

**Mr McDonald:** I'd like to thank the members from York West and Niagara Centre and of course my desk mate, the member from Niagara Falls, who has dispensed great advice since I've come here to Queen's Park. I appreciate his leadership and his knowledge here at Queen's Park, which is immense. I can tell you that it's made my transition from the great city of North Bay down here to Queen's Park, so thank you very much, Mr Maves.

I want to tell you that all Ontarians, not just local councillors but mayors, MPPs and MPs share the responsibility to provide safe drinking water to everyone, including our elderly, infants, children and those with compromised immune systems. It is our responsibility and duty to make sure we provide safe, clean drinking water to all the people of Ontario.

There's no question that all levels of government, federal, provincial, municipal, both sides of this Legislature, have a duty to provide safe drinking water to every individual in Ontario. I ask for the support of the official opposition and the third party, that we consult with our municipalities, consult with our stakeholders and do the right thing and pass this legislation that will provide safe, clean drinking water to all the people of Ontario.

## ADJOURNMENT DEBATE

**The Deputy Speaker (Mr David Christopherson):** Pursuant to standing order 37, the question that this House do now adjourn is deemed to have been made. The member for Scarborough-Agincourt has given notice of his dissatisfaction with the answer to a question given by the Attorney General concerning Ipperwash. Therefore, the member has up to five minutes to debate the matter, and the minister or parliamentary assistant may reply for up to two minutes. Therefore, the floor now goes to the member for Scarborough-Agincourt.

## IPPERWASH PROVINCIAL PARK

**Mr Gerry Phillips (Scarborough-Agincourt):** This is an extremely serious matter. The Attorney General has,

for whatever reason, chosen to misquote the signed document from former OPP commissioner Mr O'Grady involving the extremely serious matter of the shooting death of a First Nations person at Ipperwash, one that, in my opinion, the former Premier was deeply involved in. Today, when I asked why he misquoted that document, he did not answer me and went on to misquote another section of the document, with an equally serious implication.

In both cases, Commissioner O'Grady has been very clear. The Attorney General said that the OPP commissioner said that "the former Premier in no way directed the OPP to act in any certain way in relation to this incident." The actual document says that the government "did not have any input or participate in or interfere with, in any way, the command decisions...." Totally different. In my opinion, the government did give direction to the OPP, and in my opinion, the commissioner said, "We did not get a command direction from the government."

Then today the Attorney General said in the Legislature, quoting from another section—he's purporting to quote directly from the affidavit—that the Premier or other government defendants or any other member of the government—I'll go back slightly here: "... the paragraph ... says he was not 'directed or pressured by' the former Premier 'or the other government defendants or any other member of government to remove the occupiers from' the park."

The commissioner never said that. The commissioner was very clear and said something quite different. He said he was "never directed or pressured by the defendant Michael D. Harris or ... other government defendants or any other member of government to remove the occupiers from Ipperwash Provincial Park by force...." The Attorney General left the words "by force" out.

I regard this as extremely serious. There is considerable evidence that the Premier, at a meeting only hours before this shooting, told the OPP that he wanted the occupiers removed within the next 24 hours. That was the direction he gave the OPP. He never gave them a "command decision," and that's why Commissioner O'Grady was very clear: he did not get a command decision; the OPP simply got direction to remove them within 24 hours.

The Attorney General today left out the key words in another part: "by force." I've never, and no one's ever, alleged that the Premier said, "I want them removed with force." He simply said, "I want them out."

I find it serious that on two separate occasions, from what I regard as one of the most important documents in one of the most important matters in this Legislature, the death of a First Nations person, with considerable evidence of totally inappropriate involvement by the political body in this matter, that the Attorney General has on two occasions—I called him on one occasion today. He chose to get up and, for whatever reason, misquote again another part of former Commissioner O'Grady's signed affidavit. He left out the two key points. Commissioner O'Grady has said, "I was never given command direc-

tion, and I was never ordered to use force," and for whatever reason, the Attorney General has left those two matters out.

Frankly, my intention right now is to refer the matter to the law society. I think it's unacceptable behaviour for the Attorney General, whatever his motives, to on two separate occasions take Commissioner O'Grady's signed testament and leave out the key points. Frankly, it leaves a completely different impression with this Legislature than that intended by the signed affidavit.

**The Deputy Speaker (Mr David Christopherson):** The floor now goes to the parliamentary assistant, the member for London-Fanshawe.

**Mr Frank Mazzilli (London-Fanshawe):** Thank you, Mr Speaker. As you know, this matter is before the courts, and it would be prudent to let the courts look after the matter.

The member from Scarborough-Agincourt obviously has different views from the Attorney General. He's talking about contents, meaning and validity of documents. We are certainly satisfied that an impartial judge will bring justice to this matter.

**The Deputy Speaker:** There being no further matter to debate, I deem the motion to adjourn to be carried.

This House now stands adjourned until 1:30 of the clock Monday afternoon.

*The House adjourned at 1811.*



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## Legislative Assembly of Ontario

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## Assemblée législative de l'Ontario

Troisième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 7 October 2002

Lundi 7 octobre 2002



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 7 October 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 7 octobre 2002

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### FIRE PROTECTION SERVICES

**Mr Rick Bartolucci (Sudbury):** How ironic it is that today we celebrate Fire Prevention Week and on Friday a coroner's jury recommended that the city of greater Sudbury hire more full-time firefighters. So today, on behalf of the people I represent, on behalf of the constituents of the city of greater Sudbury, I ask the province to make a funding commitment earmarked to improve fire services in my great city.

There is absolutely no question that the inevitable consequence of downloading on to municipalities is the reduction of services. Tragically, in Sudbury there wasn't only a reduction of services because of amalgamation, there was also a loss of life. Clearly, three people lost their lives because this government didn't live up to its responsibilities. You shortchanged our municipality to the tune of \$10 million in amalgamation.

To hire the 18 firefighters we need to provide for safe communities is going to cost us \$1 million. We want you to live up to your responsibility, as the people who didn't provide sufficient resources for amalgamation, to come forward and give my municipality \$1 million so that we can hire the 18 firefighters that are so badly needed in my community.

There is only one response from you, and that is, "Yes, we'll do it today."

#### ONTARIO AGRICULTURE WEEK

**Mr Bert Johnson (Perth-Middlesex):** I rise today to remind my fellow members that this is the fifth annual Ontario Agriculture Week and to invite them to join with me in celebrating Ontario's farmers.

I introduced the Ontario Agriculture Week Act as a private member's bill in 1998 to raise awareness of this industry upon which we all rely. Not only do we rely on Ontario farmers for safe, high-quality food, but as the second-largest industry in Ontario, our economy also relies heavily on agriculture. There are 67,000 farms in Ontario, which employ 650,000 Ontarians and contribute more than \$30 billion to Ontario's economy.

At this time, I'd like to draw the attention of this House to a number of visitors in the galleries. These visitors represent many agricultural commodity groups in our province and together form the Labour Issues Coordinating Committee, known as LICC for short. LICC came together 10 years ago to represent agriculture on labour-related issues.

Tomorrow I will be hosting an agriculture week breakfast, to which I have invited all MPPs and many agricultural leaders. Whether my fellow members can make the breakfast or not, I hope they will think of Ontario's hard-working farmers as they sit down to their meals this week, and I hope all members of this House will take the time to thank a farmer for the hard work they do.

#### ROCKTON WORLD'S FAIR

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** As the elected representative of the wonderful riding of Ancaster-Dundas-Flamborough-Aldershot, I rise with a great sense of pride to acknowledge and celebrate the 150th anniversary of the Rockton World's Fair. Conceived in 1852 by the Beverley Agricultural Society as a one-day fair, the Rockton World's Fair now welcomes, over a four-day period, some 75,000 visitors each Thanksgiving weekend.

A very special event, the Rockton World's Fair combines agriculture, education and entertainment in a number of delightful ways. This year's theme, "Rooted in Agriculture ... Growing with the Community," speaks well to the dedication of the Rockton Agricultural Society and the hundreds of volunteers who each year help to ensure its success.

The Rockton fair brings a considerable boost to the local economy. This Thanksgiving weekend, even as we celebrate our fertile history of rural living and abundant farming, visitors to the fair will have the opportunity to feast on homemade pies, purchase handmade crafts and enjoy the many livestock competitions.

I call on all members of this assembly to join with me today in giving thanks for 150 wonderful years of caring and sharing; 150 years that mark with distinction and forever the Rockton World's Fair.

#### DIAMOND MINE

**Mr Gilles Bisson (Timmins-James Bay):** Members would know that a couple of weeks ago I rose and asked a question of the Deputy Premier in regard to the negotia-

tions between De Beers and Atawapiskat. Members would know, as the public does, that De Beers has pulled away from the table to negotiate an agreement that would see a winter exploration project go ahead in the community of Atawapiskat, in what would be the first diamond mine in the province of Ontario.

I asked the minister at that time to assist by making sure the province gets involved in this particular issue and to work with the community in order to assist the community to better prepare themselves for negotiations with De Beers.

Up to that point the government, quite frankly, had been nowhere to be seen when it came to dealing with the De Beers issue. In fact the community was quite frustrated that the province, which is responsible for natural resources issues in Ontario, was nowhere to be seen when it came to the difficulties they were having trying to negotiate an agreement with De Beers.

I am pleased to report to the House that indeed the government did listen to my suggestion, and for that I thank them. I note in conversations this morning with ministry staff in Timmins that they were on their way up to Atawapiskat this morning to work with the community to assist them in those negotiations, to advise them about the regulatory process—the permitting process—and to assist the community in whatever ways possible.

This is an important project, not only for Atawapiskat and the people there, but also for the mining community of Ontario. Let's hope these efforts will see renewed negotiations between De Beers and Atawapiskat.

#### ST VINCENT de PAUL SOCIETY

**Mr John O'Toole (Durham):** I rise in the House today to congratulate the St Vincent de Paul Society on the launching of an innovative new project to serve Ontario's rural and remote communities. Through its mobile store program, the St Vincent de Paul Society will be able to better help those in need.

I am pleased to say the project was launched last month in my riding of Durham. The Bowmanville conference unveiled the first large commercial truck trailer that will be retrofitted with a range of storage for food, clothing and household items. The objective is to eventually have a fleet of 25 mobile stores on the road.

I'd like to personally congratulate Nick Volk, provincial president of the St Vincent de Paul Society, and Mr Bob Burke, president of the St Joseph's Council of the society, on their new initiatives announced in Bowmanville. I would also like to recognize Norm Mackie of Mackie Van Lines for donating the trailer.

Fifteen students from St Stephen's Secondary School did an excellent job of repainting the trailer with St Vincent de Paul's new logo and colours. In fact a new St. Vincent de Paul Society conference is being organized at St Stephen's high school with the support of two teachers, Lou Pouwels and Deacon Gilbert Doddatto.

The Most Reverend Bishop James Doyle was present for the launching and blessing of the rural mobile store.

On September 28, St Vincent de Paul also opened its new value store in Bowmanville. This bright and clean shop will be an important addition to the services the local conference provides in Clarington.

This is one more way local volunteers are committed to helping their neighbours both locally and provincially. I express my support and thanks to all the volunteers in my riding who give of their time and faith to improve the lives of others.

#### HYDRO RATES

**Mrs Marie Bountrogianni (Hamilton Mountain):** National Family Week begins today, and on behalf of Ontario families and the families on Hamilton Mountain I have been asked to tell you that they are struggling. Families are shocked as they open unbelievable hydro charges. These are hard-working men and women, seniors and individuals trying to make it on fixed incomes. One constituent writes:

"My hydro bill is double my highest-ever hydro bill. My youngest child has asthma. His doctor has told us to keep the air conditioning on during smog and humidex alerts; otherwise he will need to be admitted to the hospital."

Antonietta and Richard are currently living on sick benefits. Their hydro bill went from \$321 to \$644. They likened it to buying an appliance every other month. This is impossible, they say.

Paul suffers from emphysema, congestive heart failure and pulmonary fibrosis. He too requires air conditioning for health reasons. Paul receives ODSP. He believes he can no longer afford his home. He actually wonders if he can afford to rent.

#### 1340

Norma is an epileptic. She lives with her adult daughter who is physically and mentally challenged. Both need air conditioning for their epilepsy. Their bill has doubled.

Don's hydro increased by 67%. As a middle-income earner, he feels he's being strangled by the government.

Tanya, her husband and three children have lived in their home for five years. Their bill jumped from \$200 to \$900. "It's way too much," Tanya writes. She will be forced to go back to renting.

There are many more. I demand that the Premier intervene on behalf of Ontario families and protect them from these unjustified increases. I ask him at the very least to immediately issue the consumer rebates.

#### KYOTO PROTOCOL

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** I rise today to respond to Dalton McGuinty and the Liberal plan to support the implementation of the Kyoto accord.

The Liberals stated that they wished to debate Kyoto. First of all, the Liberals and Dalton McGuinty claim that the Kyoto accord will reduce smog in Ontario. Like most



Liberal facts, this is completely wrong. Kyoto will do nothing to reduce the number of smog days in Ontario. To say it will is simply inaccurate.

Kyoto is concerned primarily with climate change, not smog. The accord deals with carbon dioxide and is not part of the conventional provincial air quality regulations. To presume Kyoto will reduce smog in Ontario is incorrect.

To truly reduce smog in Ontario, the federal Liberal government must force the Americans to significantly reduce their smog outputs, which account for 90% of the pollutants in our air. Without a doubt, America is the prime polluter of Ontario's air. The Liberals know it and still refuse to act.

Dalton McGuinty and the Liberals claim that Kyoto will serve our province well. The facts speak for themselves. Many people agree that Kyoto will kill jobs in Ontario and Canada. Some estimate that it will send over 100,000 Ontario jobs to Mexico and the USA. Kyoto will also cause our hydro bills to dramatically increase, and it will force our gasoline prices to over \$1 per litre.

On Kyoto, on reducing smog, on killing jobs, Dalton McGuinty and the Liberals are quite simply wrong, wrong, wrong.

#### GOVERNMENT ACCOUNTABILITY

**Ms Caroline Di Cocco (Sarnia-Lambton):** Ontario Liberals are saddened and ashamed of this government and its ministers' abuse of power and privilege. They talk a good line about accountability, yet their actions speak to an arrogance and misuse of taxpayers' dollars that show a blatant disregard for accountability and ethical conduct.

First, there is the fact that under the Harris-Eves cabinet office expenses have increased by 119%. Then we have the incidents with ministers, their staffs' bar tabs and inappropriate expenses adding up to tens of thousands of dollars. The Harris-Eves government knowingly accepted this type of conduct until they were caught.

What makes this even more reprehensible is the fact that in my riding adult disabled children who can no longer be taken care of by aging parents have literally been abandoned at the steps of Community Living. Community Living has told me that they do not have the funds to take care of these most vulnerable people.

The scandal of abuse of ministerial expenses discredits all of us as members in this House, and the huge 119% increase in costs of cabinet office is proof that the Harris-Eves government has no limits when it comes to the public purse. The actions of cabinet members show that there is a terrible double standard in fiscal accountability in this government.

#### GREATER NIAGARA GENERAL HOSPITAL LADIES' AUXILIARY

**Mr Bart Maves (Niagara Falls):** It is a great pleasure today to rise in the House to congratulate the Greater

Niagara General Hospital ladies' auxiliary, for this year they are celebrating their 75th anniversary of service to our community.

The Ladies in Pink, as they are affectionately known, recently had a dinner to celebrate their anniversary. Thirty-nine-year member Peggy Johnston gave a brief history of the organization. Starting in 1927, they originally worked out of the Jepson Street Hospital. In those early years, they raised about \$400 annually, with which they bought hospital equipment such as baby bassinets, stretchers and wheelchairs.

These ladies have become the hospital foundation's best friends, raising hundreds of thousands of dollars for a mammography unit, a gamma camera and an ultrasound sector scanner. Later, they contributed \$250,000 to the CAT scan campaign, much to the delight of then chairman, Peter Maves—around the same time that my mom, Paula Maves, who had a 25-year career with the auxiliary, was president of the auxiliary.

But to me and the thousands of Niagara citizens who have spent time in the hospital over the years, I believe their greatest contributions have been and continue to be the comfort they have offered to patients. I remember being a lonely, scared kid in the hospital. It was very comforting to look up and see the warm, friendly face of one of the ladies coming into my room, pushing the library cart, stopping to offer a book and some friendly conversation; seeing the ladies in the hall working with candystripers, a program they ran for many years, or being greeted at the hospital gift shop always gave one a warm feeling.

Thanks to all the ladies for their many contributions to the hospital over the years, but mostly thanks for all the comfort they have provided to all the patients of GNGH over 75 years. This is their greatest legacy.

#### VISITORS

**The Speaker (Hon Gary Carr):** Just before we begin, we have with us today in the Speaker's gallery His Excellency Daniel Leroy, the Belgian ambassador to Canada, and his wife; and Mr Frank Carruet, the Belgian Consul General in Toronto.

Please join me in welcoming our honoured guests.

Also in the Speaker's gallery today we have a delegation from Portugal led by Mr Laurentino Esteves, who is a member of the Portuguese Parliament.

Please join me in welcoming those honoured guests as well.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: Given the two different positions from the government we've heard on Kyoto, I seek unanimous consent to have an emergency debate on the Kyoto accord this evening.

**The Speaker:** Is there unanimous consent? I'm afraid I heard some noes.

## INTRODUCTION OF BILLS

COLLISION REPAIR  
STANDARDS ACT, 2002LOI DE 2002  
SUR LES NORMES DE RÉPARATION  
EN CAS DE COLLISION

Mr Sampson moved first reading of the following bill:

Bill 186, An Act to further highway safety and establish consumer protection through the regulation of the collision repair industry, and to make a complementary amendment to the Insurance Act / Projet de loi 186, Loi visant à améliorer la sécurité sur les voies publiques et à protéger les consommateurs en réglementant le secteur de la réparation en cas de collision et à apporter une modification complémentaire à la Loi sur les assurances.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Rob Sampson (Mississauga Centre):** The House has actually seen this bill before, sponsored by another member of this House who has now been elevated to cabinet. He and I actually worked very aggressively on the beginning of this bill and right through to this introduction now. It empowers the minister to establish a regulatory framework for the collision repair industry, including the certification and decertification of repair shops. It establishes a collision repair advisory board to perform an advisory function concerning the insurance industry to provide better protection for consumers. I know the member opposite will support that when the time comes this Thursday.

AGRICULTURAL EMPLOYEES  
PROTECTION ACT, 2002LOI DE 2002 SUR LA PROTECTION  
DES EMPLOYÉS AGRICOLES

Mrs Johns moved first reading of the following bill:

Bill 187, An Act to protect the rights of agricultural employees / Projet de loi 187, Loi visant à protéger les droits des employés agricoles.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1350 to 1355.*

**The Speaker:** Would the members kindly take their seats.

All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

## Ayes

Arnott, Ted  
Baird, John R.  
Beaubien, Marcel

Gill, Raminder  
Hardeman, Ernie  
Hastings, John

O'Toole, John  
Ouellette, Jerry J.  
Runciman, Robert W.

Chudleigh, Ted  
Clark, Brad  
Clement, Tony  
Coburn, Brian  
DeFaria, Carl  
Dunlop, Garfield  
Ecker, Janet  
Elliott, Brenda  
Flaherty, Jim  
Galt, Doug  
Gilchrist, Steve

Hodgson, Chris  
Johns, Helen  
Johnson, Bert  
Klees, Frank  
Maves, Bart  
Mazzilli, Frank  
McDonald, AL  
Molinari, Tina R.  
Munro, Julia  
Mushinski, Marilyn  
Newman, Dan

Sampson, Rob  
Sterling, Norman W.  
Stewart, R. Gary  
Stockwell, Chris  
Tascona, Joseph N.  
Tsubouchi, David H.  
Wettlaufer, Wayne  
Wilson, Jim  
Witmer, Elizabeth  
Wood, Bob  
Young, David

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

## Nays

Bisson, Gilles  
Churley, Marilyn  
Hampton, Howard

Kormos, Peter  
Marchese, Rosario  
Martel, Shelley

Martin, Tony  
Prue, Michael

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 42; the nays are 8.

**The Speaker:** I declare the motion carried.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: The government is writing legislation now with respect to privacy information which we have been briefed on by consumer groups that stakeholders outside have not been privy to.

With respect to this bill, it was received on our desks literally as the minister rose, which is normally the process. We voted against the NDP's original legislation in 1994. We voted with the government and we likely will in this case, but the fact is that we've discussed this issue about having legislation we have not been made privy to—

*Interjections.*

**The Speaker:** Order. The member will know it's the standard practice for first reading. Members can vote for it and then I guess the most important one, how they vote is the final, third reading. We don't need any play-by-play.

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** On a point of order, Mr Speaker: I think that's probably why, by tradition in this House, first readings are always voted in favour of by all parties, just to avoid that kind of conflict.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: I want to express this party's gratitude to the minister who sponsored this bill for ensuring that I got a copy of the bill and the compendium at the same time that the other opposition party did, in time to read the compendium and enough sections of the bill, including the clear references to mere association, to enable us to vote against it. I appreciate it.

**Mr John O'Toole (Durham):** On a point of order, Mr Speaker: The Minister of Agriculture just introduced a bill on employment protection. I'm wondering: you recorded the number of yeas and nays, but did you record that no Liberal voted for this bill? They abstained. I think that should be recorded.

**The Speaker:** I think the member knows full well how we record votes, ayes and nays.



The minister for a short statement.

**Hon Helen Johns (Minister of Agriculture and Food):** I'm going to defer until ministers' statements because I'm so shocked that the Liberals voted against this. I can't believe it.

## MUNICIPAL AMENDMENT ACT (SIMCOE DAY), 2002

### LOI DE 2002 MODIFIANT LA LOI SUR LES MUNICIPALITÉS (FÊTE DE SIMCOE)

Mr Gilchrist moved first reading of the following bill:

Bill 188, An Act to amend the Municipal Act, 2001 to name Civic Holiday as Simcoe Day / Projet de loi 188, Loi modifiant la Loi de 2001 sur les municipalités en vue de désigner le Congé civique sous le nom de fête de Simcoe.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Steve Gilchrist (Scarborough East):** This bill is an exact copy of the bill I introduced in the 36th Parliament. It seeks to add some British history flavour to the recognition of civic holiday, a name that's fairly innocuous. Many of us in this chamber believed in the 36th Parliament that it was appropriate in those municipalities that recognized a civic holiday in August that they refer to it by the name Simcoe Day in recognition of John Graves Simcoe, the first Lieutenant Governor of what is now the province of Ontario.

## VISITORS

**Mr Mario Sergio (York West):** On a point of order, Mr Speaker: I want to point out to the House that today we are joined by a group of parents and their sons and daughters. They will be paying close attention to the proceedings of the House. They are here in the west gallery.

## MOTIONS

### HOUSE SITTINGS

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** I move that pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Monday, October 7, Tuesday, October 8 and Thursday, October 10, 2002, for the purpose of considering government business.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members; this will be a five-minute bell.

*The division bells rang from 1403 to 1408.*

**The Speaker:** All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

### Ayes

Agostino, Dominic	Elliott, Brenda	Newman, Dan
Arnott, Ted	Flaherty, Jim	O'Toole, John
Baird, John R.	Galt, Doug	Ouellette, Jerry J.
Bartolucci, Rick	Gerretsen, John	Parsons, Ernie
Beaubien, Marcel	Gilchrist, Steve	Patten, Richard
Bountrogianni, Marie	Gill, Raminder	Peters, Steve
Boyer, Claudette	Hardeman, Ernie	Phillips, Gerry
Bradley, James J.	Hastings, John	Pupatello, Sandra
Brown, Michael A.	Hodgson, Chris	Ramsay, David
Bryant, Michael	Hoy, Pat	Runciman, Robert W.
Caplan, David	Johns, Helen	Ruprecht, Tony
Chudleigh, Ted	Johnson, Bert	Sampson, Rob
Clark, Brad	Kennedy, Gerard	Sergio, Mario
Cleary, John C.	Klees, Frank	Sorbara, Greg
Clement, Tony	Kwinter, Monte	Sterling, Norman W.
Coburn, Brian	Lalonde, Jean-Marc	Stewart, R. Gary
Colle, Mike	Levac, David	Stockwell, Chris
Crozier, Bruce	Maves, Bart	Tascona, Joseph N.
Curling, Alvin	Mazzilli, Frank	Tsubouchi, David H.
DeFaria, Carl	McDonald, AL	Tumbull, David
Di Cocco, Caroline	McLeod, Lyn	Wettlaufer, Wayne
Dombrowsky, Leona	McMeekin, Ted	Wilson, Jim
Duncan, Dwight	Molinari, Tina R.	Witmer, Elizabeth
Dunlop, Garfield	Munro, Julia	Wood, Bob
Ecker, Janet	Mushinski, Marilyn	Young, David

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

### Nays

Bisson, Gilles	Marchese, Rosario	Prue, Michael
Hampton, Howard	Martel, Shelley	
Kormos, Peter	Martin, Tony	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 75; the nays are 7.

**The Speaker:** I declare the motion carried.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### AGRICULTURAL LABOUR POLICY

**Hon Helen Johns (Minister of Agriculture and Food):** A few minutes ago, I introduced for first reading the proposed Agricultural Employees Protection Act, 2002. I was surprised that the Liberals abstained from this vote. This bill represents a commitment to agricultural employees all across the province of Ontario. It represents a commitment to family farms in the province, and it represents a commitment to the rural way of life in Ontario.

This important piece of legislation has been supported by my colleagues at the Ministries of Labour and of the Attorney General, and I would like to take this opportunity to thank them for their co-operation and guidance on this critical issue.

I want to assure the agricultural sector that we remain committed to ensuring that our labour relations response takes into account agriculture's special concerns. This government will work to protect farmers and their livelihoods in what have proven to be challenging times. Ontario's farm families must not be vulnerable to the risks of potentially devastating labour disruptions. At the same time, we do, and we will, respect individual and constitutional rights. We believe we have struck an appropriate balance with the bill we have introduced today. We have advanced the meaningful association rights of employees while protecting Ontario's agricultural sector from the risk of potentially devastating labour disruptions.

The legislation complies with the Supreme Court of Canada decision regarding the rights of agricultural workers to associate. That decision requires Ontario to provide legislative protection of the rights of agricultural workers to form and maintain associations as guaranteed in the Charter of Rights and Freedoms. The Supreme Court of Canada clearly defines this issue, and it's about freedom of association.

The proposed legislation takes a balanced approach. It will recognize the rights of agricultural workers to associate, while having regard to the unique characteristics of farming. The proposed Agricultural Employees Protection Act is a significant advance in facilitating employee-employer relationships.

This bill would meet the requirements of the Supreme Court decision by providing legislative protection for the rights of all agricultural workers who wish to form and join an employees' association, to participate in lawful activities of an employees' association, to assemble, and to make representations to the employer through the association regarding the terms and conditions of their employment.

The proposed legislation also requires the employer to acknowledge such representation, and it protects agricultural employees against interference, coercion and discrimination in the exercise of their rights.

In August and September of this year, Ministry of Agriculture and Food staff consulted with those parties who may be affected by this new legislation. These included members of the agricultural community, employers, and representatives of organized labour.

Ontario's agricultural employers told us that they believed they already have a good relationship with their employees, a relationship that they value and wish to maintain. We heard that it was important to treat all agricultural employees in a consistent manner. But we also heard that Ontario's crop planting and harvesting must not be vulnerable to the risk of potentially devastating labour disruptions. We heard that Ontario's farm operations must be protected.

We promised to do that in this spring's throne speech, and we're doing it here today. The government will work with the farm industry and other stakeholders, including labour, to put in place this legislation. I repeat: this legislation not only protects all agricultural employees,

but it also recognizes the unique characteristics of the agricultural sector and Ontario's farming operations.

The government has worked hard to enhance the competitiveness and viability of the province's agricultural sector since 1995, and we will continue to take action to strengthen this critical sector of our economy.

**Mr Steve Peters (Elgin-Middlesex-London):** With the change that occurred in the minister's speech, I'm going to have to change my speech a little bit.

I think it is important to reinforce—and I'd like to know what school of politics the minister went to. Since when is an abstention a "no" vote? That is not the case. I think you should go back to school, Minister, and learn a little more about politics.

We didn't vote against this bill. We voted against the bill in 1994, and we supported the repeal of this legislation in 1995. But this is too important an issue; this is an issue that is supposed to be there to protect Ontario farmers. This party treats farmers with respect, not like this government. It's not proper to just give a bill the once-over and say yea or nay to it. I think the minister should be extremely disappointed to do that.

You talk about protecting farmers. Well, boy oh boy, has this government lost their—

**Mr Ernie Parsons (Prince Edward-Hastings):** Touch with reality.

**Mr Peters:** You have not protected farmers in this province. You talk here, Minister, about strengthening "the competitiveness and viability of the province's agricultural sector since 1995." What a joke. We've seen cuts to the agricultural budget, closure of the extension offices. We've seen massive budget cuts. We've seen cuts to the University of Guelph and the OMAFRA agreement. We've seen service providers being privatized. We've seen constant knee-jerk reactions from this government.

Did we see this government being proactive when it came to nutrient management? No, it took a tragedy. They were reactive.

When dealing with food safety issues, did you see this government being proactive? No, they were reactive again.

Here we are again—reactive. You're not being proactive.

*Interjections.*

**Mr Peters:** Well, if you'd shut your—keep your tone down a little bit, that would be very helpful.

**The Speaker (Hon Gary Carr):** Member, take his seat. Members, come to order. I'd appreciate if you wouldn't use that—and the members on this side, please come to order. I don't need to stand up.

The member for Elgin-Middlesex-London may continue.

**Mr Peters:** I think what we're seeing here is the good old, typical Tory platform: stand up on that manure spreader and let 'er rip. That's what you guys are doing.

We do support this bill going to committee, because this is too important to the farmers who are sitting here, the farmers who are sitting at home right now, for those



farmers who are out on their combines right now. This is important to them. It's irresponsible to drop a piece of legislation down and say to vote for it.

1420

This is a piece of legislation that needs to go to committee. We need to go through a full clause-by-clause to make sure you haven't put something through on this bill, because we've seen that track record. This is a government that stands up and loves to say, "Promises made, promises kept," but I'll tell you, you have abandoned the agricultural community. You've abandoned the rural communities. But all of a sudden you've seen the light. Look at what has happened in the year 2002 alone. All of a sudden there's the minister handing out Healthy Futures cheques left and right, because you know that you're vulnerable out there.

But you had a Premier stand up at the International Plowing Match in September and talk about what the government is going to do. Where are those cheques? Those farmers need those cheques. They're still at home.

It goes on and on, how this government has hurt agriculture. We want to make sure that this government is not in any way hurting agriculture. We want to make sure that this is a piece of legislation that truly does protect the interests of farmers and recognizes the unique characteristics of a farming operation. But this government's track record of protecting farmers is not worth a damn—a darn; pardon me. I apologize for that, Mr Speaker.

Look at the issues right now. You've got farmers out there harvesting their soybeans with 25% to 50% of those beans green. Crop insurance won't give those farmers an answer. You're just going to sit back and sit on your hands and hope everything works out.

This party is not going to sit back and be reactive. We're going to be proactive. We're going to make sure that this is a good piece of legislation. Speaker, I know they think that I speak a little too loudly, but you know what? You guys have so much manure in your ears that you need to be spoken to loudly. You haven't looked after farmers; you've abandoned farmers in this province. I think the time has come and the farmers have seen through what you've been doing.

We look forward to this going to committee. I'm confident that we will be supporting this bill at second reading, but we'll pass that judgment when we get it through committee.

**Hon David Turnbull (Associate Minister of Enterprise, Opportunity and Innovation):** On a point of order, Mr Speaker: I would ask for unanimous consent to give the last speaker another five minutes to bury himself.

**The Speaker:** Is there unanimous consent? I heard some noes.

Further responses?

**Mr Peter Kormos (Niagara Centre):** An oh, so fundamental quality and characteristic of any true democracy is that that democracy ensure that its workers, women and men who work in our factories, in our retail

sector, underground in our mines and, yes, those working women and men who work hard harvesting crops and in our new agribusinesses—a fundamental quality and characteristic of any democracy is that those workers have the right to join trade unions and the right to collectively bargain.

A failure to advance and defend that right is a failure to advance and defend the interests of democracy, and it is an abandonment of principles that make democracy something more than mere theory but translated, interpreted into something that's meaningful for the lives of women and men in that society.

This isn't a lengthy piece of legislation. It didn't take long for us to digest its content. It will be revealed at the end of the day, should this legislation pass, that the so-called rights accorded agricultural workers in this bill are no more than the rights that this government gave to victims of crime in its Victims' Bill of Rights.

It is imperative that if we are going to stop the murder and maiming of agricultural workers in that workplace, they have the right to form trade unions and belong to them, that they have the right to collectively bargain. I call upon people in this Legislature and beyond to please read the judgment of the Supreme Court of Canada in the Dunmore decision. I'll not make frequent references to it, because I don't have time, but the comments by then-Justice L'Heureux-Dubé are most telling. It is clear in her judgment that it cannot be argued that Ontario agriculture has unique characteristics that are incompatible with legislated collective bargaining.

This has nothing to do with an attack on the family farm. The Supreme Court judgment that was provided made it clear that the nature of farming has changed dramatically in this province and in this country, that the focus of efforts to organize and collectively bargain are in the arena of the new corporate farm, the agribusinesses.

I want to pay tribute right now to the United Food and Commercial Workers for their leadership in litigating this government's repeal of NDP legislation which provided for and accommodated and ensured the right of agricultural workers to organize and, yes, achieved a balance between those workers' rights and the acknowledged interests of the agricultural industry in making sure crops are grown and harvested.

This government today leaves people in shock and outrage, and I tell you that should this government pursue this bill, it will have embarked upon a battle the likes of which it has not seen in its seven years in office.

I have been visiting trade unionists and their locals across this province in the public sector and in the private sector, and every single one of those trade unions and their membership are committed to ensuring that their sisters and brothers in the agricultural industry—working women and men—have the same rights as they do to join unions and collectively bargain. And they will be joining with those women and men in the agricultural industry in their pursuit of free collective bargaining rights so that they can enjoy some of the same rights other workers

have won: the right to ensure safer workplaces; the right to protect themselves against unsafe, dangerous, indeed deadly, poisonous and toxic workplaces; the right to refuse unsafe work. And part and parcel of that is the right to be contained within the scope and ambit of the Employment Standards Act in this province, be they workers in the mushroom factories, be they chicken catchers in barns across this province, be they women and men who work hard with their backs and with their bodies. I tell you, there will be solidarity and there will be a fight the likes of which this government has not seen.

## ORAL QUESTIONS

### SLOT MACHINES

**Mr Monte Kwinter (York Centre):** My question is to the Attorney General. On Friday night, TVO's Fourth Reading revealed that they have obtained a copy of a highly confidential cabinet minute. Interestingly, it was the cabinet minute detailing cabinet's decision to move forward with up to 800 slots at Picov Downs, a decision, by the way, that you have said is yet to be made, but I'll get to that in a minute.

Attorney General, there are a limited number of people who could have had access to that confidential document. Most of them sit around the cabinet table. Some of those cabinet colleagues are strongly in favour of these slots; others are absolutely opposed. Have you ordered a police investigation to find out which of your cabinet colleagues illegally leaked this document and, if not, why not?

**Hon David Young (Attorney General, minister responsible for native affairs):** Indeed, there was a document that was produced on a television show last week, which the interviewer suggested was from a cabinet meeting. I'm not going to comment one way or another on whether it was or wasn't. Indeed, what happens in cabinet with this government—when the Liberals were in power, when the New Democrats were in power—stays within the cabinet chamber and that's the way it will remain.

1430

**Mr Kwinter:** The television show showed the document with the cabinet number. There is no question that it was a cabinet document.

While the cabinet was considering a very important decision about Picov Downs, Mr Picov was busy writing cheques. He wrote one for \$80,000 to the leadership campaign of Jim Flaherty. He wrote another for \$10,000 to the campaign of Ernie Eves.

Despite the fact that Picov Downs, on their economic record, should be eligible for about one or two slot machines, the cabinet approved up to 800.

Attorney General, apparently we are not the only ones who have been questioning the cabinet's handling of

Picov Downs. TVO's Fourth Reading reported that the Premier himself questioned the link between large donations and this cabinet decision. It was reported that he openly criticized Mr Flaherty's and Mr Hudak's actions and said, "I am not a" expletive deleted "crook." Despite those words, neither he nor you have reversed the cabinet decision. Why not?

**Hon Mr Young:** Once again, anything that happens within a cabinet chamber remains in the cabinet chamber, and you know that. That's not going to change, nor should it change.

What I will tell you, though, because you've raised the issue of Picov Downs again, is that that track has applied for slot machines. Their application is going through the normal process. It's going through the same process that 16 other tracks have gone through. No decision has been made to date as to how many slot machines will be placed at that track. Indeed, the use of the term "up to 800" means just that: up to 800. It could be one, two, 200, 400.

**Mr Kwinter:** Mr Minister, it was reported that neither the deputy minister responsible nor the head of the gaming commission would back your decision. To make matters even worse, we now know that the only reason Mr Picov gave \$10,000 to Mr Eves was because Janet Ecker's bagman asked for it on her behalf—a tough request to say no to when you have a multimillion-dollar proposal before the cabinet.

We need a police investigation into the leak. While we're at it, I think they should investigate the actions of Mr Flaherty, Mrs Ecker and Mr Hudak. As Attorney General, will you now do the right thing and refer these very serious allegations to the assistant Deputy Attorney General for criminal law? Will you do that today?

**Hon Mr Young:** If you have any allegations that you believe support a criminal investigation, I would encourage you, sir, to put those in writing and forward them to the police or to me, and they will follow the normal course.

What is not helpful is for you to stand in the Legislature day after day, week after week, and take different stands and try to find different reasons to support what you said last week or the week before. For instance, the week before last, you said that Picov Downs should get one and a half slot machines. You were quite emphatic about that. Last week, you stood in the Legislature and said in no uncertain terms that I should make a decision on the spot and give them 100 slot machines. You're inconsistent in your approach to this.

We are consistent. We are saying that what will happen here is what happened at all of the other tracks. It will be an independent, impartial process that will, at the end of the day, be one that we can all look back on and agree came to the right conclusion.

## MINISTERIAL CONDUCT

**Mrs Sandra Pupatello (Windsor West):** My question is to the Deputy Premier. Last week, the Premier told



the Legislature the following: "My total expenses were—and this includes members of my staff, I believe—\$104,111.42 over six years, made up of \$85,161.98 for travel and \$18,949.44 for accommodation and meals over a six-year period of time." That's strange, because we are still going through the pile, and we've already found \$34,478 for food and accommodation, almost double what Ernie Eves told this House. That's the running total so far.

My question to the Deputy Premier is this: why did the Premier say that he and his staff spent just under \$19,000 on food and accommodation when we have proof that the number is well over \$34,000?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I understand that the Chair of Management Board has been involved in this, and he will respond.

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet, Minister of Culture):** I haven't been involved with it, but I will answer the question.

We recognize that the current system, which has been in place under both the Liberal and NDP regimes, is outdated. In June, the Premier asked me to make a review of the guidelines to ensure that this system would hold up to the scrutiny of the public and bring forward the best and highest integrity possible.

We are in the process right now of drafting a new code of conduct. I will say this, though, with respect to the Premier, and this is the only part I am going to get involved in with his particular expenses: the Premier has provided copies of his receipts, as I understand, today. That goes well beyond what is required under the guidelines. You know the leader certainly holds himself up to a high standard. I will expect and hope that both leaders over there, of the Liberals and of the NDP, when we look at transparency and accountability, will promote their own parties being subject to the same rules and the same scrutiny and transparency as everyone.

**Mrs Papatello:** Minister, I am having a page take over a series of claims to you. I'd like you to have a look at that and I would like to ask you this. On page 1 of what I've attached is a bill from a New York hotel for \$1,506. Page 2 shows \$3,800 for a hotel bill in London, England, and a \$599 bill from Frankfurt, Germany. Page 3 shows \$1,500 from a stay in Paris. The next page shows more than \$1,000 in meals and hotel bills.

The Premier says that he and his staff spent only \$18,000 on meals and hotels. We have already uncovered over \$34,000 in meals and hotels. Chair of Management Board, Ernie Eves understated his food and hotel expenses by at least 82%. The question for the public: can we trust anything this Premier says? Why should we believe what Ernie Eves said in this House when we find there is actually proof to the contrary? We believe it's important that the Premier—

**The Speaker (Hon Gary Carr):** The member's time is up. The Chair of Management Board.

**Hon Mr Tsubouchi:** I wish the member would stop mixing both the individual expenses of the Premier and

those of his entire staff. Certainly you are trying to mix things up. Clearly, the truth has been given in terms of the receipts.

Every day I listen to the members over there say, "Dalton McGuinty thinks this and Dalton McGuinty thinks that," but he's not saying that. Let's listen to what the real Dalton McGuinty says. In a scrum on October 4 the question was to Dalton McGuinty: "Just give us your receipts." He said, "What I have is a summary of my expenses and I'm ... prepared to make that public"—just the summary. Let's go on. Question: "Would you also release the expenses of your staff members?" Answer: "Why would I do that?" Dalton McGuinty goes on. Question: "Why won't you make your staff expenses includable?" McGuinty says, "I'm prepared to make my personal expenses public." "Why not your staff?" "Well, it's not up to my staff to ah..." That's his answer.

**Mrs Papatello:** On Friday we showed that the Premier filed more than \$8,000 in expense claims without any receipts. One of the claims includes the note, "The secretary to the minister says that she doesn't attach receipts for the minister." That violates your own ministerial guidelines, which seem fairly clear to everyone else. They state that claims must be supported with documentation for major items of expenditure such as accommodation, transportation, meals and incidentals. After this was exposed, and after several days, we just received a host of receipts. We don't know that they total \$8,000 and we can see why the Premier did not want this included in the first place.

A couple of questions for you, Chair of Management Board: one, why would these receipts not be included when they should have been, as it's required under the freedom of information act? Secondly, it's no wonder he didn't want to include them. He's been at Bigliardi's so many times that he gets a statement; he doesn't get the bill.

**The Speaker:** Member's time is up.

**Hon Mr Tsubouchi:** She said there were two questions, and one is answered already.

Let's go back to visit the real Dalton McGuinty here. In that same scrum of October 4—

*Interjections.*

**Hon Mr Tsubouchi:** You want to hear this, folks. This is important: "Under the rules we play by today"—this is McGuinty—"we get \$3.5 million..." it says here, folks. That's your \$3.5 million. He says, "Put it all into supper ... if you want, all into salary, if you want, put it all into polls, put it all into expensive luggage." This is unbelievable. Dalton McGuinty and his Louis Vuitton baggage—luggage. I guess this brings a whole new meaning to "bagman."

**Hon Mrs Witmer:** On a point of order, Mr Speaker: when I said that Mr Tsubouchi had been involved, I was simply indicating that he has been asked to do some rigorous accounting in order to improve the rules—

*Interjections.*

**The Speaker:** Order.

**Hon Mr Tsubouchi:** On a point of order, Mr Speaker: to the Minister of Education, I was just jesting.

1440

### HYDRO RATES

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Energy. Last week, as people across Ontario got their sky-high electricity bills, your Premier said he'd make sure hydro consumers get a hydro bill rebate and also make sure the rebate is not reduced. He said he would overrule the application by Ontario Power Generation that asks the Ontario Energy Board to reduce the—

**The Speaker (Hon Gary Carr):** Sorry to interrupt the member. To the Minister for Transportation, the Minister of the Environment and the member for Windsor West: I can't hear the questions. If you want to carry on the conversations, please go outside. You've asked your questions.

I apologize to the leader of the third party.

**Mr Hampton:** The Premier said he'd make sure that people get their hydro electricity rebate. Minister, my question to you is: you make the laws; will you change the law now to ensure all hydro consumers get their rebate and that it's a full rebate?

**Hon John R. Baird (Minister of Energy, minister responsible for francophone affairs):** I think what the Premier said last week was that consumers in Ontario, be they working families or free enterprises, would receive the rebate from Ontario Power Generation exactly as it was advertised, and I agree.

**Mr Hampton:** The problem here is that you make the law, and the law you made allows that rebate to be reduced. The law you made says that if Ontario Power Generation sells off or leases some of their assets, like the Bruce nuclear station, then people's hydro electricity rebate can be reduced. You made that law, not the Ontario Energy Board, so stop trying to blame someone else. Change the law now so that people can get their full hydro rebate.

**Hon Mr Baird:** I strongly share the Premier's view that the rebate should be delivered exactly as advertised. The entire purpose of the rebate is to recognize that one market participant, Ontario Power Generation, having such a huge percentage share of the market, has a tremendous amount of control. The market design committee, in the recommendations they made to the government a good number of years ago, said that in recognition of that control, they should pay a rebate to customers based on their share of the market. That's exactly what was said, and that's exactly what will be delivered.

**Mr Hampton:** Last week it was the Ontario Energy Board's fault and this week it's something called the market design committee that's at fault. These are your laws. If hydro consumers across this province have their hydro bill rebate reduced, it will be because of the law you made, because you made a law that allows that to happen.

My question to you is, will you do the smart thing and change the law now so that people get their hydro rebate now, and then will you cancel this whole hydro privatization and deregulation fiasco before it puts the boots to more consumers?

**Hon Mr Baird:** The rebate obligation on Ontario Power Generation is contained right in their operating licence, so I don't seek to blame or shuffle responsibility on that to anyone. I will say to the leader of the third party that I may disagree with him on this issue but at least I can respect him.

Someone recently sent me a copy of a letter that was sent out by Richard King and Sean Conway, which reads, "Throughout Ontario's electricity restructuring process, Dalton McGuinty and the Ontario Liberals have been consistent supporters of the move to an open electricity market in Ontario." Further in the letter they say, please send us \$350. Most interesting.

### DOCTOR SHORTAGE

**Mr Howard Hampton (Kenora-Rainy River):** My question is to the Minister of Health. Ontario needs at least 588 more family doctors. There are about 3,000 foreign-trained doctors in Ontario who want to work but can't because they don't have Ontario qualifications. Through your so-called fast-track assessment process, with 3,000 foreign-trained doctors to work with, your government only managed to fill three of 10 training spots for family physicians. What an embarrassment.

The problem is your criteria. The measure of a good doctor should not be whether they have been in practice for the last two years or where they were trained; it should be whether they are competent and good doctors. My question is, what are you doing to ensure that these family doctor training spots in the fast-track assessment process are filled and continue to be filled so that Ontario communities can get the physicians they desperately need?

**Hon Tony Clement (Minister of Health and Long-Term Care):** The honourable member probably has the right intention at heart, but the fact of the matter is that the program of which he speaks was directly created to recognize foreign-trained professionals who also have some clinical expertise. We're giving them fast-track certification—maximum six-month certification—because they not only have training in a foreign medical institution but have had clinical experience in other countries. That is what we're recognizing. That's why it's fast-track. Indeed, the program is now fully subscribed, with 40 individuals a year, which was the intention of the program in the first place.

**The Speaker (Hon Gary Carr):** Supplementary?

**Ms Shelley Martel (Nickel Belt):** We can do more to use the skills of international medical graduates here. You see, the NDP government in Manitoba has an assessment program too. It evaluates the medical knowledge and clinical expertise of international medical graduates in three days. If successful, those graduates



immediately register with the college of physicians and surgeons. They get a conditional licence, and then they practise with a practice adviser who is a licensed physician. The program has the full support of the College of Physicians and Surgeons of Manitoba and the faculty of medicine at the University of Manitoba. In contrast, here in Ontario international medical graduates must wait three to six months to be assessed and then, if they are successful, can obtain a licence to practise.

The Manitoba model is working for international graduates and patients. When will you introduce a similar program here?

**Hon Mr Clement:** The honourable member knows I have stated publicly that despite the fact we have made tremendous improvements, tripling the number of international medical graduates who are considered every year, I believe more can be done, and perhaps the honourable member will be pleased in the near future.

I find it passing strange, however, that it is this political party whose former leader, Bob Rae, on one of the few occasions he admitted he actually made a mistake—this was one of the occasions. Before a public audience he indicated that one of the things he regrets most about his time in office—I thought there would be more than one, and perhaps this is a good place to start—was the contraction of our medical schools, the reduction of the number of physicians who are trained in this province, which created the problem in the first place. I take it from the honourable members that perhaps they've had a change of heart.

### OAK RIDGES MORaine

**Mr Mike Colle (Eglinton-Lawrence):** I have a question to the Minister of Municipal Affairs and Housing. On June 27 this year, with this document, you signed a minister's zoning order, unprecedented in the history of Ontario, ordering the town of Richmond Hill to allow developers to build over 8,000 homes smack dab in the middle of the Oak Ridges moraine. Despite your empty promises to protect the moraine, this decree forces Richmond Hill to approve 8,000 homes for a few developers in the heart of the moraine without having to go through the normal process. By signing this ministerial order, you have virtually given, with the stroke of a pen, these same developers a certified cheque. Basically, you gave them a virtual cheque of \$300 million. If that wasn't enough, now you're proceeding with another scheme to give these same developers more compensation with your land swap in Seaton and Pickering.

My question to you is, why should we be further compensating these same developers with public lands in Seaton and north Pickering when you have already given them the right to build 8,000 homes right in the moraine without any approvals needed? Why do we have to give them more?

1450

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** My question to the honourable member

is, where have you been? This was all approved by David Crombie's negotiated settlement, the Crombie accord, to create a robust corridor through the Niagara Escarpment, and Richmond Hill.

The panel that was representative of environmentalists, business leaders, developers and municipal leaders came up with recommendations to protect the Oak Ridges moraine. They realized you needed this corridor that had been fought about and was presently before the OMB. They suggested that we appoint David Crombie to negotiate a settlement to that. This was part of that settlement: they would create about a 1,000-acre urban park in Richmond Hill and the remaining lands, which were before the board for settlement, be allowed with certainty to be settled. That was part of the Crombie accord or settlement. You were aware of that.

**Mr Colle:** Mr Minister, you know full well that the whole battle over the Oak Ridges moraine was to stop the building of 8,000 homes on Yonge Street in Richmond Hill and on Leslie. That's what the battle was about.

Everybody thought when we brought in the conservation act that those 8,000 homes were stopped, but what you did in the dead of night is that you—not Mr Crombie, by ministerial order, which I have right here, said to these developers, "Forget conserving the moraine. Build 8,000 homes smack dab up Jefferson forest, right by Bond Lake."

How does that protect the moraine when right in the middle you allowed them to build 8,000 homes? Now you're going to give them how many more thousands in Seaton and north Pickering? How many more are you going to give them when you already allowed them to build in the middle of the moraine? Tell me that, Mr Minister.

**Hon Mr Hodgson:** If that's the brain trust in the Liberal Party, you're totally confused. This has been the most transparent process. We've created a 1,000-acre park, a robust corridor—

*Interjection.*

**Hon Mr Hodgson:** It is, and you can ask David Crombie. The maps were public. And your numbers are wrong as well. So if you need a full briefing on this, I can set one up with Mr Crombie. He can go through it with you in detail, with the maps that you approved and voted for in this House.

### HIGHWAY 6

**Mr Ted Arnott (Waterloo-Wellington):** My question is for the Minister of Transportation and it concerns Highway 6. Highway 6 is an essential corridor in my riding of Waterloo-Wellington. For much of the county of Wellington, it's a key route to the 401, our access to the North American market. It's crucial to our local economy.

In the summer, Wellington county council passed a resolution about Highway 6. They have addressed it to the Minister of Transportation. They say that Highway 6 from Fergus to Mount Forest—

*Interjections.*

**The Speaker (Hon Gary Carr):** Come to order, please. The member for Waterloo-Wellington has the floor. Sorry for the interruption.

**Mr Arnott:** I couldn't hear myself think for the opposition.

They say that Highway 6 from Fergus to Mount Forest needs review so that repairs to that section can be done as soon as possible. As the MPP for Wellington in the early 1990s, I raised the need for repairs to Highway 6 repeatedly in this Legislature from my place on the opposition benches. I called for the construction of passing lanes, an idea that was brought forward by my predecessor, Jack Johnson, before he retired in 1990.

Will the minister inform the House whether, in fact, a review of the need to fix Highway 6 is underway?

**Hon Norman W. Sterling (Minister of Transportation):** As this member points out—and he points out very often to me the needs in his particular area of Waterloo-Wellington—Highway 6 is very important to that part of our province. We're not only studying this, we are now in the design stages for the repair and repavement of Highway 6 from Fergus to Kenilworth.

We're not only dealing with this particular piece of highway, we're dealing with some others. When we have completed all the work that is presently under design for Highway 6, we will have spent some \$9 million on Highway 6. The good people of Wellington county can thank the member from their area for putting this issue on the table.

**Mr Arnott:** I want to thank the minister for his response, his compliments and for any action taken to see that Highway 6 from Fergus to Mount Forest is a priority.

After I repeatedly raised the need for construction on Highway 6 in the 1990s, the NDP government initiated a study and it concluded that the work needed to be done. Passing lanes were built from the city of Guelph to Fergus and Highway 6 was four-laned from the northern city limits of Guelph to county road 7.

I want to inform the minister and the House of my firm belief that we need passing lanes from Fergus to Mount Forest. County council has resolved that any studies required must begin immediately in order to get this needed work going as soon as possible. The work has been done as far as Fergus, and I say the time is now to finish the job right through to Mount Forest.

Will the minister agree to move forward with reconstruction on Highway 6 so that the work can be done as soon as possible?

**Hon Mr Sterling:** This government has spent unprecedented amounts of money on our highway improvements across this province: \$6.5 billion on highways since 1995. This not only includes four-lane highways, this includes two-lane highways like Highway 6.

We were glad to respond to the member's request prior to 1999 in putting some passing lanes on Highway 6. We realize that this is a very busy highway. There are safety concerns, and we're continuing to look for improvements in that area. I hope to discuss this and

other matters that are important to this member for the improvement of Highway 6 when we meet later this week to go over all of the priorities in your riding.

**SCHOOL SAFETY**

**Mr David Caplan (Don Valley East):** A question for the Minister of Education. Minister, two weeks ago a man entered Fenside Public School in my riding of Don Valley East through the child care entrance, approached five young girls in the stairwell, and grabbed two of them by the wrist. Fortunately, the girls broke free and ran for help.

This is the latest in a growing list of incidents where trespassers are entering schools and coming after our children. I believe we should make video surveillance cameras available if a school or school board determines the need. However, we all know that school boards don't have the money it would take to have video surveillance systems. Sergeant Dave Colwell of the Toronto police sex crimes unit said, "In this case and in others, yes, it probably would have been more beneficial to have video cameras in the schools."

So, Minister, my question for you is this: what is it going to take for you to act? Does a child have to be molested, maimed, or even killed before you adopt a safe school package like the one proposed by Dalton McGuinty?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I'm pleased to see that the opposition has finally recognized what we recognized a long time ago, and that was the need to provide a safe school environment for all of the students in the province of Ontario.

Perhaps the member wants to recall the fact that in 2000 we did introduce the Safe Schools Act, and it did give teachers, principals and boards authority in order that they could move forward. I also would like the member to know that on September 1, 2001, the government passed the access-to-school-premises regulation. It does give principals the authority to determine who is allowed on school property. As well, the pupil accommodation grant presently does allow the schools to pay for health and safety issues such as the surveillance cameras.

**Mr Caplan:** Minister, that is frankly a bizarre answer. You can pass all the laws and regulations you want, but our schools are not safe from intruders in these kinds of incidents. Even Guy Giorno agrees with me. When he wrote in yesterday's Toronto Star, he said, "I happen to like McGuinty's proposal for surveillance cameras in out-of-the-way places." He continues, "The recent assaults at Fenside Public School highlight the need."

The time for consideration, frankly, is over. It's now time for action. I made a statement in this House back in June; no response from you. I sent you a copy of a safe school survey with the view of all of the schools in Don Valley East; again, no response. Dalton McGuinty raised this issue with you five months ago and you've done nothing.



So, Minister, on behalf of all residents of Don Valley East, especially the hundreds of parents who attended an emergency meeting last week at Fenside Public School, I ask you again, what horrible tragedy has to happen before you do something, anything, to protect the students in our schools? Either implement the Dalton McGuinty safe school—

**The Speaker (Hon Gary Carr):** Order. The member's time is up. Minister?

1500

**Hon Mrs Witmer:** I'm pleased to hear that the member opposite has become such a fan of Guy Giorno.

I will just let you know that certainly some of the happenings such as tough new curriculum, new guidelines for testing that have been introduced—they were all part of our plan. The Safe Schools Act was part of our plan too. It's interesting to see your party just recently recognizing what we have known for seven years: people in this province want safe schools, they want a tough curriculum, they want testing for students and they want to make sure that we provide the best learning environment for the students in this province. We're doing exactly that.

#### FEDERAL TAXATION

**Mr AL McDonald (Nipissing):** My question is for the Minister of Finance. This September, the federal government announced that it will require Ontario to pay back \$1.3 billion for the personal tax error made by the Canada Customs and Revenue Agency. It seems odd, Minister, that these tax errors were made between 1997 and 1999 and had gone undetected by the provincial government.

I also note that Ontario is being made to pay for a federal tax error that occurred after the 1996 provincial budget, where it was reported that the Ministry of Finance was able to obtain additional information from the federal government to improve Ontario's capability in revenue forecasting.

Minister, could you please explain today why this enormous error went unnoticed despite the 1996 claim that the Ontario finance staff had strengthened contacts with the federal forecasting staff and successfully obtained additional provincial income tax information—

**The Speaker (Hon Gary Carr):** I'm afraid the member's time is up. Minister?

**Hon Janet Ecker (Minister of Finance):** I thank the honourable member from Nipissing for the question. As former Finance Minister Paul Martin said, and the current Finance Minister, John Manley, said, this error was the sole responsibility of the federal government, which does collect income tax on behalf of the provinces. It was signed off in public accounts by their auditor, who said that taxes had been remitted correctly.

Notwithstanding its responsibility for this overpayment, though, they are asking that Ontario taxpayers pay for the federal mistake. We do think that is unfair. But we also recognize the need to ensure that the system does not

do this again to any province. I know the honourable members out there don't seem to think that \$1.3 billion out of this province is a problem. If they would like to say to the schools and hospitals around here, "Live with \$1.3 billion less," let them say so, because that is what the Liberal Party's position is currently.

We have made some changes with Ottawa to improve this but we still need a more accountable tax system—

**The Speaker:** The Minister of Finance's time is up.

**Mr McDonald:** Minister, thank you for your answer, but I'm sure that many taxpayers in Ontario would appreciate some assurance that this type of error not occur again. Could you please describe your efforts to ensure the federal government enhances its accountability with respect to the tax processing system.

**Hon Mrs Ecker:** Despite the fact that the federal accounts were validated by two finance ministers and by the federal auditor, Ontario taxpayers are still left with a \$1.3-billion mistake that they are being expected to pay back, and we don't think that's fair.

We've insisted and asked for a new accountability mechanism. Officials were speaking with finance officials this week to make sure that all provinces could depend on the numbers that are coming from Ottawa. They're their numbers; we are not in a position to check them without the information. We want an agreement to make sure that all the provinces can do this so that taxpayers in this province are not put in this situation ever again.

#### COMPENSATION FOR VICTIMS

**Mr Peter Kormos (Niagara Centre):** To the Deputy Premier: at the age of 18, Velma Demerson was torn from her Toronto home, hauled before a judge and, with no charge ever being laid, sentenced to serve a year in the Mercer Reformatory, one of the darkest dungeons in the history of corrections in this province. Her only crime was that as a white woman, she loved a Chinese man. For that, she was deemed "incorrigible" under the Female Refuges Act.

Sixty years later, still wrestling with those demons born in that five-foot-seven windowless cell, she has had the courage to come forward and seek acknowledgement of the injustice, to seek an apology, and to seek compensation for what was stolen from her.

You're blocking her action in the court by invoking sections 28 and 29 of the Proceedings Against the Crown Act. Why are you forcing her into the courts? Why won't you sit down with Velma Demerson and negotiate a settlement that includes an apology?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** The Minister of Citizenship is prepared to respond.

**Hon Carl DeFaria (Minister of Citizenship, minister responsible for seniors):** Certainly there are very difficult and very personal issues involved in this case. I understand the member bringing it forward. As an immigrant to this country, I consider these issues very seriously. My

colleague will understand that this matter is before the courts and therefore it's very difficult to comment on them because everyone should have their day in court.

What I want to talk about is how far we have come since those days. Our Ontario Human Rights Code plays a vital role in protecting the rights of all Ontarians. It prohibits discrimination against people because of their race, religion, place of origin and ethnic origin. In addition to enforcing the code, the Ontario Human Rights Commission does important work in all areas of anti-race—

**The Speaker (Hon Gary Carr):** The minister's time is up. Supplementary.

**Mr Kormos:** Velma Demerson isn't alone. Hundreds, perhaps thousands of women, in state-sanctioned misogyny, and in her case racism as well, were thrust into jail cells—Velma had her child stolen from her when she gave birth to it in custody—and have suffered state-sanctioned abuse for which they seek and deserve acknowledgement, a formal apology and compensation to help them recover from the wounds that were suffered at the hands of their government.

Minister, please stand up and say that these people will receive what is due them in exchange for the injustice they suffered and the unspeakable things done to them while they were in custody. Tell them that this government will develop a process now for all of those victims of the women's Female Refuges Act, acknowledging the injustice imposed upon them, acknowledging their pain, apologizing and compensating them.

**Hon Mr DeFaria:** Again, I would like to point out that my friend knows very well it's inappropriate for a minister to comment on a case before the courts. This case comes from the late 1930s.

What I want to tell you is that our government recognizes that cultural diversity is one of the province's greatest strengths. Ontario has welcomed approximately 120,000 new immigrants each and every year for the past 10 years. Our government is committed to ensuring that newcomers are welcome in Ontario, that their rights are protected.

As I went across this province delivering the newcomer settlement program, I met with immigrant groups from all corners of this province. I can tell you that we have gone a long way. This province is a welcoming and diverse province. I'm so proud to be in this province today—

**The Speaker:** The minister's time is up.

#### FIRE PROTECTION SERVICES

**Mr Dave Levac (Brant):** My question today is for the Minister of Public Safety and Security. First, I would like to acknowledge the fact that this is Fire Prevention Week and ask all members of the Legislature to keep in mind the commitment and dedication of all of our firefighters to keep our communities safe.

My question deals directly with the safety of the firefighters and the security of our communities. During the

inquest into a deadly fire in Sudbury last April, officials from the fire marshal's office made statements that inadequate fire services existed in 15—and some said 20—Ontario communities. Three people—two very young children and their great-grandmother—died in that fire where there was only one full-time firefighter.

After the inquest, and only after the press conference by the International Association of Fire Fighters last week pressuring the release of the names of those communities, did you comply. Keeping firefighters in any community in the dark about such basic fire services is unacceptable. Ontario communities that are lacking in fire protection and firefighters in those communities deserve the right to know. A statement that was made by Mr Wallace from your ministry said, "The goal is to have the best standards possible, but municipalities can't always afford all the things that they want." Minister, this is absolutely outrageous—

**The Speaker (Hon Gary Carr):** The member's time is up.

1510

**Hon Robert W. Runciman (Minister of Public Safety and Security):** I do agree with the member that communities certainly have a right to know if there are any serious concerns related to fire safety in their communities. The indications given to me are that that indeed was the case with respect to this list.

It's a monitoring list of communities that may have a number of concerns identified perhaps by the fire adviser out of the fire marshal's office or, in some instances, by the communities themselves. In fact, in the city of Kingston, the fire chief asked for assistance, asked to be put on the monitoring list of the fire marshal's office because they've been going through amalgamation of fire services. He wanted that extra insight and advice in terms of insurance that they were proceeding in an appropriate way.

If at any point in time the fire marshal determines there is a serious safety risk to any community, he has the right and responsibility to intervene and ensure that changes take place.

**Mr Levac:** Then you must realize that the fire marshal has never done it. The fact we've got that many communities identified shows there needs to be more action. As a matter of fact, the NFPA, the National Fire Protection Association, is administering international standard 1710, which is being accepted from state to state and by provinces. I would like to know whether we are going to stick with the standards that we're going to make. And why would we not have supported my Bill 141, which would have made sure the fire marshal reviewed all the changes that were proposed by municipalities and got them approved?

What we need to do is make sure that people understand that 89% of Ontarians support the adoption of 1710, 85% of Ontarians believe the provincial government should provide some funding for those standards for municipalities to be maintained and 86% of Ontarians believe that specific standards are important regarding



response time and a number of personal requirements to respond to those.

Minister, would you make the commitment today that you will investigate 1710 and establish the money that's necessary for those communities to keep our people safe and secure and avoid another Sudbury?

**Hon Mr Runciman:** The provision of fire services is a municipal responsibility. The fire marshal's office has oversight and certainly has the ability, power and authority to intervene, as I indicated earlier, if there is a serious threat to public safety.

But for the member to suggest that things have not gone well in the past number of years—this government is the government that brought in the first changes to the fire act in 50 years. We have invested significant monies in upgrades to the fire college. We have put money into the training of CBRN teams, which is underway right now at the fire college. We are putting money into heavy urban search and rescue teams. If you take a look at the incidence of residential fires in this province, they've dropped dramatically over the life of this government. If you look at the number of fatalities arising from accidental fires, last year they were the lowest in the history of this province.

#### WORKPLACE SAFETY

**Mr Rob Sampson (Mississauga Centre):** My question is to the Minister of Labour, and it concerns workplace safety. Many people have criticized various government stands on workplace safety, including, I believe, ours. Some critics have said that trying to target zero accidents in the workplace is totally unrealistic and is an unattainable goal. I believe you've said that achieving that number can only be done if there's a concerted effort to try to get there, if there's a concerted effort to actually try to make the workplace safe so there are no incidents in a particular workplace.

I'm just wondering whether you can comment on the achievability, if you will, of that target and enlighten us on whether anybody has actually been able to come somewhat close to, or perhaps even hit, that target.

**Hon Brad Clark (Minister of Labour):** I have stated many times that safe workplaces involve creating a culture of safety where workplace injuries are not acceptable. If we look back in the past with drinking and driving, we've actually changed the entire attitude in the general public regarding that. We consider it to be reprehensible and immoral. A change in attitude toward safety in the workplace will achieve the same goal.

This is a realistic goal for workplaces. In fact, on Friday I attended an event in Mississauga where Enersource Corp celebrated six years, or three million hours, of lost-time and injury-free work—a remarkable accomplishment. They've done it by implementing their safety philosophy within their own company, with their union, with the board of directors, right down to the newest employee just starting on the job. They have shown that

with commitment, dedication and discipline there need not be a single workplace injury.

**Mr Sampson:** Again, thank you, Minister. I know the mayor of Mississauga has never said this before, but clearly Mississauga is again leading the rest of the province in a lot of matters as they relate to the administration of this province. Three million hours is a tremendous achievement and I feel like knocking on wood because I know that many people are hoping they can continue that record on and on and on.

But clearly there is some management expertise and some understanding of how to achieve those records that are in the bowels of Enersource and their tremendous management. I'm wondering, Minister, whether you have plans on how you would hope to help that company and help you relate that message to other companies, small and large, across the province so they can be likewise challenged to try to meet or exceed that particular standard.

**Hon Mr Clark:** What we're going to be doing is setting up partnerships. That's what this is about. The president of Enersource, Gunars Ceksters, in getting their philosophy, their approach and their practices into other workplaces, has agreed to come forward and help us do just that: to work with our partners and spread the word across the province. As a matter of fact, Enersource has already been asked to manage health and safety in another Ontario community. So they're going to spread their good program to other areas across the province.

There are companies, organizations and individuals who do share the goal. We believe safety is the priority. It can be done. Enersource has proven it.

Let me leave members with Enersource's health and safety objective: "Safety must come first. There is never a task too urgent that it should allow personal safety to be overlooked." That is what drives Enersource; that's what we should all be driving for.

#### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mr Mario Sergio (York West):** My question is for the Minister of Community, Family and Children's Services. Minister, you will be aware that today parents representing the Peel Family Network held a press conference here at Queen's Park to draw attention to your government's, your Premier's and your dismal disregard for their plight.

These parents are in the gallery now. With them are their sons and daughters with developmental disabilities. For several years now they have been attempting to reach out to you and your government to listen to their grievances and concerns. These parents have been in a state of crisis. Why have you and your government repeatedly refused to listen to them? I ask, what are you going to do for these parents and their children?

**Hon Brenda Elliott (Minister of Community, Family and Children's Services):** I thank my colleague in the Liberal Party across the way for the question. This gives

me an opportunity to clarify our government's position on developmental services. Certainly, we feel it is very important to provide a wide variety of services that are essential for individuals with developmental disabilities. That's why we offer a variety of different kinds of programs: respite care, both in and out of home; individual and group living arrangements; community participation support; and specialized community supports as well.

We've made tremendous strides in offering many new services to individuals in Ontario. In our budget in May 2001 we announced multi-year funding, growing to an additional \$197 million a year by 2006-07. At the end of that, it would mean that over \$1 billion is being spent on developmental services in Ontario.

**Mr Sergio:** Minister, these families need your government's urgent help now. They need more than just words about services and support that might be provided to meet the individual needs of people with developmental disabilities.

These special people have special needs, with individual complaints. With this come changes, and responsible parents deserve options and choices. An integrated environment does not work in every case. The options program with this individualized support has proven successful in the city of Toronto, but because of your government's lack of funding and long waiting lists, it's inaccessible for these persons. Again, Minister, this program works. It allows families to integrate into their children's support and services; it is cost-effective; it provides a flexible approach; it allows for an environment where children and adults can move forward and improve the quality of their lives.

Minister, I ask you again, on behalf of these parents and their sons and daughters, will you commit to meet with them today and give them a promise that indeed you will come through with help?

**Hon Mrs Elliott:** I thank my colleague across the way for the question. I am aware of the concerns that have been raised by this particular organization. I will indicate that as the minister I am examining the issue of individualized funding and independent funding.

We try very hard in our ministry to be responsive to the families that we serve, and we make every effort to do so. I receive hundreds of invitations to meet, and try to be as responsive as possible to all of those.

Having that in mind, my colleague the Minister of Citizenship has twice met with this organization, but I would be most pleased and will make every effort to have a meeting with these particular individuals.

1520

## RURAL ECONOMIC DEVELOPMENT

**Mr Bert Johnson (Perth-Middlesex):** My question is for the Associate Minister of Municipal Affairs and Housing responsible for rural affairs. Minister, last summer you visited my riding of Perth-Middlesex as part of your tour of rural Ontario. During your visit you announced OSTAR funding for St Marys in my riding.

These funds will assist St Marys in the revitalization of its downtown. By the way, Mayor Jamie Hahn sends his regards and says to say hello.

I know this was just one of many reasons you were touring rural Ontario. Minister, I'm very interested in what you heard and what our government is doing to address barriers to economic growth and ensure our small towns and rural communities remain viable, healthy and vibrant places in which to work, live and invest. Can you give us an update?

**Hon Brian Coburn (Associate Minister of Municipal Affairs and Housing):** I want to thank the member from Perth-Middlesex for his question. I can tell you one thing that became very evident as I went through your community: that your residents have a great deal of respect for you and for the tireless efforts you've made on behalf of your residents. Certainly the member in one of his efforts was recognized here in 1998.

It's very appropriate that the question be asked today, when the minister introduced a private member's bill to recognize a week in the year to recognize the contribution the agricultural community provides to us, and that's Ontario Agriculture Week.

This is an opportunity seven days of the year during harvest time when we can acknowledge the contributions of our agricultural producers to our rural and small-town prosperity. As the minister responsible for rural affairs, over the last couple of months, July and August in particular, I had an opportunity to travel across the province, meeting with hard-working residents, municipal representatives and business leaders of our small and rural communities and hearing some of the big challenges they've faced, and we're addressing those in a number of different issues.

**Mr Johnson:** Minister, I know that rural Ontarians are delighted that you're working so hard on their behalf to develop and implement solutions that help create good jobs. Clearly, overcoming barriers to rural economic development is a key issue, but not the only one that's on the minds of our rural residents.

Minister, going back to your tour, can you expand on the highlights of your visits that would be of interest to both the members of this House and the good residents of my riding of Perth-Middlesex?

**Hon Mr Coburn:** All across rural Ontario we have some real jewels in our communities and small towns. In a recent visit to St Marys, I had the opportunity to visit the Canadian Baseball Hall of Fame. For those members who haven't been there, I suggest that it would be a good place to drop in and find out what a contribution Ontarians have made to baseball. This is a wonderful museum that brings the history of the great game of baseball alive.

I visited Lambton county as well and toured the Petrolia town hall. That was reconstructed after the original building was destroyed by fire. It has been rebuilt under the leadership of the former mayor, our member Marcel Beaubien from Lambton-Kent-Middlesex. It's a town hall by day and a lively and vibrant theatre at night. I was impressed by the planning and the fore-



thought of the members and leaders in that community to turn this into a multi-use facility.

There are many examples of that right across this province, and I just want to tell you that we have invested about \$27 million in 30 projects—

**The Speaker (Hon Gary Carr):** I'm afraid the member's time is up.

### CHILD CARE CENTRE

**Mr Rosario Marchese (Trinity-Spadina):** My question is to the Minister of Education. Minister, your cuts to our public schools are shutting down a unique program that is so important for new Canadians and for our economic well-being. This Friday the child care centre at Shirley Street Public School in Toronto will close its doors for good. By the way, they only had three weeks' notice. This is the only child care centre for adult ESL learners in the entire Toronto board. I am asking you, Minister, will you personally get involved so that this child care centre does not shut down for good?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I think it is really important that we get the facts right. I understand that the facility that you're talking about was originally funded by a federal grant that the Liberals may have decided seven years ago to end. Since then it has been funded by the board, but the facility is not a child care. It is a child-minding service, and there are two other daycare facilities within two blocks of the Shirley Street school for parents who take the LINC program. So the children have the opportunity to be accommodated there. It is a child-minding service; it isn't a daycare.

**Mr Marchese:** The central coordinating principal of continuing education sent this letter three weeks ago saying, "We no longer have the money to be able to support this program." It is also true that New Democrats believe in levelling the playing field so that every family has a shot at a better life. That means helping parents learn English so they can work, of course, and participate in Ontario's future. It also means providing quality child care that prepares our youngest children for school and a good start in life. The Shirley Street child care centre does all of these things, but you are contributing, through this terrible funding model that you have, to shutting this care down.

All I am asking you today, Minister, is to reform your funding formula so as to allow the Toronto board to be able to keep this essential service. Can you do that? Will you do that?

**Hon Mrs Witmer:** Again, let's just cut through some of the ambiguity. The Toronto board offers adult ESL classes and there is child care provided, but let's get one thing straight: it's not funded by the board; it's funded by various community partners. This particular service that you're talking about is a child-minding service. There are two daycare facilities within two blocks for parents taking the LINC program. We also understand that the city of Toronto is currently in negotiations with both the

Learning Enrichment Foundation and the YMCA to open a real, full-service daycare. So certainly these children and parents are not going to lose a service. There are other provisions. Just as other parents that access these programs have an opportunity to access child care funded by community groups, these children and parents will have the same opportunity.

### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** On a point of order, Mr Speaker: I move that, notwithstanding standing order 96(g), notice for ballot item 60 be waived. That's notice for Mr Sampson to have his ballot item debated this Thursday. I had agreement with your House leaders.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed. The government House leader?

**Hon Mr Stockwell:** No, I'm done.

**The Speaker:** Did you want to move the motion? You asked for unanimous consent; now you move it.

**Hon Mr Stockwell:** Sorry. I move that, notwithstanding standing order 96(g), notice for ballot item 60 be waived.

**The Speaker:** All in favour? Carried.

1530

### PETITIONS

#### LONG-TERM CARE

**Mr James J. Bradley (St Catharines):** "To the Legislative Assembly of Ontario:

"Whereas the Eves government has increased the fees paid for by seniors and the most vulnerable living in long-term-care facilities by 15% over the last three years, \$3.02 per diem in the first year and \$2 in the second year, \$2 in the third year, effective September 1, 2002;

"Whereas this increase will cost seniors and our most vulnerable more than \$200 a month after three years;

"Whereas this increase is above the rent increase guidelines for tenants in the province of Ontario for 2002;

"Whereas, according to the government's own funded study, Ontario still will rank last among comparable jurisdictions in the amount of time provided to a resident for nursing and personal care;

"Whereas the long-term-care funding partnership has been based on government accepting the responsibility to fund the care and services that residents need;

"Whereas government needs to increase long-term-care operating funding by \$750 million over the next three years to raise the level of service for Ontario long-term-care residents to those in Saskatchewan back in 1999;

"Whereas this province has been built by seniors, who should be able to live out their lives with dignity, respect and in the comfort of this province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that Premier Eves reduce the 15% increase over three years in accommodation costs to no more than the cost-of-living increase annually and that the provincial government provide adequate funding for nursing and personal care to a level that is at least the average standard for nursing and personal care in those 10 jurisdictions included in the government's own study."

I affix my signature and am in complete agreement with the sentiments expressed in this petition.

**Ms Shelley Martel (Nickel Belt):** I have a petition that was sent to me by the nursing staff at Thorntonview Nursing Home in Oshawa. It reads as follows:

"Whereas the Conservative government increased fees paid by Ontario seniors and other vulnerable people living in long-term-care facilities by 15% ... instead of providing adequate government funding for long-term care; and

"Whereas the Conservative government has therefore shifted the cost of long-term care on to the backs of the frail elderly and their families;

"Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

"Whereas in 1996 Ontario abandoned its minimum requirement of 2.25 hours of nursing care per nursing home resident;

"Whereas the government's own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

"Whereas, according to the government's own study, government cutbacks have resulted in Ontario seniors receiving just 14 minutes a day of care from a registered nurse...; and

"Whereas the study also found that Ontario residents receive the least nursing, bathing and general care of nine other comparable locations;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

We demand "the Conservative government eliminate the 15% fee increase for residents of long-term-care facilities, increase the number of nursing care hours for each resident to a minimum of 3.5 hours per day, and provide stable, increased funding to ensure quality care is there for Ontario residents of long-term-care facilities."

I agree with the petitioners and I've affixed my signature to it.

#### SERVICES DE SANTÉ POUR ENFANTS

**M. Jean-Marc Lalonde (Glengarry-Prescott-Russell):** J'ai une pétition qui provient des communautés d'Alfred, Plantagenet et Hawkesbury.

« À l'Assemblée législative de l'Ontario :

« Attendu que le gouvernement de l'Ontario est en train de fermer le service de chirurgie cardiaque à l'inten-

tion des enfants fonctionnant actuellement à l'Hôpital pour enfants de l'est de l'Ontario;

« Attendu que la fermeture de ce programme restreindrait l'accès des enfants de l'est de l'Ontario à cette chirurgie, qui sauve des vies;

« Attendu que l'HEEO traite chaque année 140 enfants gravement malades à proximité de leur foyer;

« Attendu que la centralisation des services de chirurgie cardiaque pour les enfants à Toronto obligerait les patients et leurs parents à s'éloigner de 400 kilomètres à 600 kilomètres de leur foyer à un moment difficile;

« Attendu qu'il y a une liste d'attente pour la chirurgie cardiaque à Toronto mais pas à l'HEEO;

« Attendu qu'une partie du personnel de ce programme de l'HEEO parle français et que, de ce fait, la population francophone a accès à des conseils médicaux de qualité supérieure en français;

« Attendu que la population de l'est de l'Ontario exige des soins de santé de qualité et accessibles pour ses enfants,

« Nous, soussignés, demandons à l'Assemblée législative de l'Ontario d'annuler immédiatement la décision du gouvernement d'abolir ce programme, qui sauve des vies, et de veiller à ce que chaque enfant de l'est de l'Ontario continue d'avoir pleinement accès à des soins de santé de qualité supérieure. »

J'y ajoute ma signature avec fierté.

#### CHILD CARE

**Ms Shelley Martel (Nickel Belt):** I have two petitions that were sent to me by la Garderie Petit Trésor in Elliot Lake and Andrew Fleck Child Care Services in Ottawa. It reads as follows:

"Whereas 70% of Ontario women with children under age 12 are in the paid workforce;

"Whereas high-quality, safe, affordable child care is critical to them and their families;

"Whereas the Early Years Study done for the Conservative government by Dr Fraser Mustard and the Honourable Margaret McCain concluded quality child care enhances early childhood development;

"Whereas this government has cut funding for regulated child care instead of supporting Ontario families by investing in early learning and care;

"Therefore, be it resolved that the Ontario government adopt the NDP's \$10-a-day child care plan and begin implementation by reducing full child care fees to \$10 a day for children aged two to five currently enrolled in regulated child care, by providing capital funds to expand existing child care centres and build new ones, by funding pay equity for staff and by creating new \$10-a-day child care spaces in the province."

I agree with the petitioners and have affixed my signature to this.

#### NATURAL GAS RATES

**Mr Pat Hoy (Chatham-Kent Essex):** A petition to the Legislative Assembly of Ontario:



"Whereas the Ontario Energy Board has consented to allow Union Gas to retroactively charge \$40 per month for a three-month period to recover additional system operation costs that occurred during the winter of 2000-01 totalling approximately \$150 million; and

"Whereas Union Gas will recover accrued costs over the peak heating season, causing undue hardship; and

"Whereas this retroactive charge will affect all customers who receive Union Gas, including new homeowners and new customers to Union Gas;

"Therefore be it resolved that we, the undersigned, demand that the Ernie Eves government issue a policy directive under section 27.1 of the Ontario Energy Board Act disallowing the retroactive rate hike granted to Union Gas, and we further demand that the Legislature examine the Ontario Energy Board, its processes and its resources, and make changes that will protect consumers from further retroactive rate increases."

It's signed by a number of petitioners from Paincourt, Charing Cross, Thamesville and Chatham.

#### HEALTH CARE SERVICES

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the Ernie Eves government is putting in place a system where the wealthy will be allowed to bypass waiting lists by paying out of their pockets for MRI and CT scans;

"Whereas existing public MRI and CT machines are not currently being used to their full capacity;

"Whereas the decision to open private clinics was the result of a private sector health care bias and not evidence proving that these private clinics would be faster, safer or cheaper than public clinics;

"Whereas a centrally managed waiting list process is needed and has not been put into place to prevent queue jumping simply by visiting private clinics;

"Whereas Ontario is short 150 radiologists and new private clinics would only siphon off those already working in public clinics;

"We, the undersigned, petition the Legislative Assembly of Ontario to tell Ernie Eves that he must stop this plan to allow the wealthy to jump to the head of the line and to put Ontario families first by protecting our universally accessible health care system."

This is signed by a large number of my constituents who share this concern, and I affix my signature in full agreement with them.

#### NATURAL GAS RATES

**Ms Caroline Di Cocco (Sarnia-Lambton):** "To the Legislative Assembly of Ontario:

"Whereas Union Gas/Duke Energy has had a retroactive increase in natural gas prices approved with interest by the Ontario Energy Board; and

"Whereas all the appointees have been appointed by the provincial Conservative government; and

"Whereas the Ministry of Energy gave itself the authority in 1998 to review the decisions of the board if they are not in the public interest; and

"Whereas the company applying for these increases is already very profitable and is making more money than ever before; and

"Whereas this retroactive increase is unfair, unbusinesslike and holds consumers hostage;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Energy intervene to overturn this decision and protect the public interest and the consumers of natural gas."

I affix my signature to this petition.

**Mr Pat Hoy (Chatham-Kent Essex):** This is a petition to the Legislative Assembly of Ontario.

"Whereas the Ontario Energy Board has consented to allow Union Gas to retroactively charge \$40 per month for a three-month period to recover additional system operation costs that occurred during the winter of 2000-01 totalling approximately \$150 million; and

"Whereas Union Gas will recover accrued costs over the peak heating season, causing undue hardship; and

"Whereas this retroactive charge will affect all customers who receive Union Gas, including new homeowners and new customers to Union Gas;

"Therefore be it resolved that we, the undersigned, demand that the Ernie Eves government issue a policy directive under section 27.1 of the Ontario Energy Board Act disallowing the retroactive rate hike granted to Union Gas, and we further demand that the Legislature examine the Ontario Energy Board, its processes and its resources, and make changes that will protect consumers from further retroactive rate increases."

This petition is signed by a number of residents from Blenheim, Chatham and Dresden.

1540

#### LONG-TERM CARE

**Ms Caroline Di Cocco (Sarnia-Lambton):** "To the Legislative Assembly of Ontario:

"Whereas the Eves government has increased the fees paid for by seniors and the most vulnerable living in long-term-care facilities, by 15% over three years, or \$3.02 per diem in the first year, \$2 in the second year and \$2 a day in the third year, effective September 1, 2002;

"Whereas this fee increase will cost seniors and our most vulnerable more than \$200 a month after three years; and

"Whereas this increase is above the rent increase guidelines for tenants in the province of Ontario for 2002; and

"Whereas, according to the government's own funded study, Ontario will still rank last amongst comparable jurisdictions in the amount of time provided to a resident for nursing and personal care; and

"Whereas the long-term-care funding partnership has been based on government accepting the responsibility to fund the care and services that residents need; and

"Whereas government needs to increase long-term-care operating funds by \$750 million over the next three years to raise the level of service for Ontario's long-term-care residents to those in Saskatchewan in 1999; and

"Whereas this province has been built by seniors who should be able to live out their lives with dignity, respect and in comfort in this province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Demand that Premier Eves reduce the 15% increase over three years in accommodation costs to no more than the cost-of-living increase annually and that the provincial government provide adequate funding for nursing and personal care to a level that is at least at the average standard for nursing and personal care in those 10 jurisdictions included in the government's own study."

This has been signed by thousands of residents in my area of Sarnia-Lambton and I affix my signature to this petition.

**Mr James J. Bradley (St Catharines):** I have, it looks like, a couple of hundred more names on a petition which reads:

"To the Legislative Assembly of Ontario:

"Whereas the Eves government has increased the fees paid for by seniors and the most vulnerable living in long-term-care facilities by 15% or \$7.02 per diem effective August 1, 2002; and

"Whereas this fee increase will cost seniors and our most vulnerable more than \$200 a month; and

"Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

"Whereas the increase in the government's own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

"Whereas according to the government's own funded study, Ontario ranks last amongst comparable jurisdictions in the amount of time provided to a resident for nursing and personal care; and

"Whereas the long-term-care funding partnership has been based on government accepting the responsibility to fund the care and services that residents need; and

"Whereas government needs to increase long-term-care operating funding by \$750 million over the next three years to raise the level of service for Ontario's long-term-care residents to those in Saskatchewan back in 1999; and

"Whereas this province has been built by seniors who should be able to live out their lives with dignity, respect and in comfort in this province;

"We the undersigned petition the Legislative Assembly of Ontario as follows:"

We demand "that Premier Eves reduce his 15% fee increase on seniors and the most vulnerable living in long-term-care facilities and increase provincial government support for nursing and personal care to adequate levels."

I affix my signature. I am in agreement with this petition.

**The Deputy Speaker (Mr David Christopherson):** The time for petitions has expired.

## ORDERS OF THE DAY

### SUSTAINABLE WATER AND SEWAGE SYSTEMS ACT, 2002

#### LOI DE 2002 SUR LA DURABILITÉ DES RÉSEAUX D'EAU ET D'ÉGOUTS

Resuming the debate adjourned on October 3, 2002, on the motion for second reading of Bill 175, An Act respecting the cost of water and waste water services / Projet de loi 175, Loi concernant le coût des services d'approvisionnement en eau et des services relatifs aux eaux usées.

**The Deputy Speaker (Mr David Christopherson):** The floor is now open for debate.

**Mr David Caplan (Don Valley East):** On behalf of the people of Don Valley East, I appreciate the opportunity to talk about Bill 175. Bill 175 is the Sustainable Water and Sewage Systems Act. It is perhaps one of the most crucial acts that this House is going to deal with in the five years I've been a member here. It is important that we attend to it. Of course we saw this bill originally introduced about nine months ago as Bill 155, then under the carriage of the Minister of Municipal Affairs and Housing. I'm going to be talking about a few things in the short time I have allotted to me here today.

I have concerns that this bill is just another in a series of "trust me" bills. "Trust me," says the Eves-Harris government, "when it comes to protecting the drinking water of Ontario residents." I have concerns that in fact Bill 175 is not consistent with Justice O'Connor's report into the events in Walkerton, Ontario, and his recommendations how to ensure that we have sustainable, safe, clean drinking water. I have concerns about the maintenance of the ownership of water in public hands.

Let me begin by placing my comments here today in context. I want to read to you from an editorial in the *Hamilton Spectator*, Monday, September 30:

"If the Ernie Eves government expects people to believe that safe drinking water is among its top priorities, it had better start to provide the evidence. More than two years after the Walkerton tragedy, the Conservatives don't appear close to implementing the safeguards they have promised."

Further, from the *St Catharines Standard*: "Now that Environmental Commissioner Gord Miller has issued his annual report, the damning evidence indicates there is no reason to hope the Ontario Tories are doing anything to make our drinking water safe. Indeed, in Miller's words, 'I suspect the problem may be worse than ever.'"

Finally, from the *Kitchener-Waterloo Record*: "If you think the Ontario government learned the bitter lessons of



Walkerton, where seven lives were lost due to contaminated water, think again. If you believe the Conservatives are now doing everything possible to guard the public by making the province's water supply safe, get the report just released by the province's Environmental Commissioner Gord Miller. Then get mad."

These three editorials say it very well. The Harris-Eves government says, "Trust me." All of the evidence says contrary.

As I mentioned, this is a so-called "trust me" bill from the Harris-Eves government. They want us to trust them on several issues, and I'm going to outline those here and now.

The definition of "water services provider": there are thousands of small-scale water providers—trailer camps, summer resorts, communal water systems. Which of these entities will be exempt from the act? Why couldn't this be spelled out in Bill 175? Will there be real protection of our water systems if too many people are made exempt? All fair and legitimate questions.

Bill 175 does not explicitly deal with the issue of the privatization of municipal water and sewer infrastructure. But the bill does not refer to municipalities; it only refers to what they call "regulated entities." The definition of a regulated entity will be determined by regulation. Regulation, as opposed to the bill, which is legislation, is to be determined later under the cover of darkness with no public oversight—another one of these "trust me" provisions. I can tell all members of this House, but especially the members of the public, that Ontario Liberals believe that the definition of "regulated entities" should only be municipalities.

The Harris-Eves government wants us to trust them as they define "full costs," as in full cost accounting and full cost recovery, in regulation. "Full costs" could mean several things. Does it mean we include total cash expenditures, adding together all direct overhead costs and operating costs of the water and sewer systems? Does it mean that we include the total debt repayment costs reasonably attributed to the works? Does it mean that this includes a total sustainability allowance that includes allowances for renewal, replacement and improvements? Again, it is completely undefined.

"Trust me," say Ernie Eves and Mike Harris in their legacy. We know not to trust them. They want us to trust them to set the deadlines and time frames for compliance. This has been a concern of folks like the Ontario Sewer and Watermain Construction Association. It doesn't give municipalities very much to go on. There's no commitment at all in the bill to a phase-in.

1550

Like Justice O'Connor, Ontario Liberals support the principle of full-cost accounting for our water and sewers. We also believe that after the tragedy in Walkerton, Ontario, water users are willing to pay their fair share to ensure that drinking water is safe. But it would be helpful for municipalities, particularly smaller municipalities, to know how much they're going to have

to pay to implement these plans. The costs may not be so small in scope.

Let me echo some of the concerns from a recent editorial in the Sault Ste Marie Star:

"Communities the size of Sault Ste Marie and larger can generally look after themselves, because the large population base yields economies of scale. The Public Utilities Commission can spread the cost of upgrades among its 25,000 customers.

"However, smaller municipalities, including several in Algoma, are hard-pressed to fund upgrades with their limited tax base. Bruce Mines is looking at a possible \$3.5 million filtration project to provide safe water for its 500 residents. Thessalon faces spending \$5 million for 1,300 people.

"If the 600 households in Thessalon had to foot the whole bill, that would mean a charge of more than \$8,000" per household "for the capital project alone." Add on top of that the operation and ongoing maintenance.

There are also some questions about what exactly is user pay. Will municipalities be allowed to cover the costs from the municipal tax revenues? Will users—households and businesses—be the ones to cover the usage directly? What incentives will there be for municipalities to move to metered water systems? If these incentives and payment procedures are not defined in the legislation, as they are not, how can municipalities plan for the future? All legitimate questions; no answers at all from the government except, "Trust me. Trust us." As we've learned to our sorrow and shame and embarrassment, and our tragic deaths, we can't.

The government wants us to believe that the new water rates won't become prohibitive for low-income families and seniors. Maybe this bill needs real protections that would ensure that municipalities cannot cut off users from their water supply. In fact, many municipalities have emergency service bylaws. I hope the government would take this issue seriously and entrench it in legislation to ensure that no resident of Ontario can be denied access to water. Presently they could.

Justice O'Connor takes this very seriously. He said in very explicit terms that higher water rates may "constitute a significant burden for low-income families and individuals.... Suffice it to say that, since water is an essential need, it would be unacceptable for those who are unable to pay for safe water to go without. The provincial and municipal governments should ensure that this does not occur by whatever means they consider appropriate." You'll find that reference on page 313 of the second volume of his report.

Finally, let's remind the House exactly what Justice O'Connor said in the Walkerton report when he was referring to Bill 155, which is exactly the same as Bill 175, save and except for the change from the Ministry of Municipal Affairs and Housing to the Ministry of the Environment: "In my opinion, if passed into law, the act," the old Bill 155, "will address many of the important issues concerning the financing of water systems that

I discuss in this section. The requirements for a full cost report and cost-recovery plan, as generally expressed in the proposed act, are ... appropriate."

So Justice O'Connor says these are reasonable measures but there are a lot of unanswered questions. You see, Justice O'Connor is concerned, as are Ontario Liberals, and as government backbench members should be, that the most important elements of the bill are going to be laid out later by regulation and that they're not contained within the bill itself. The regulations, he says on page 299, will be critical. O'Connor says the "trust me" provisions in Bill 155, now found in Bill 175, are critical. Then why wouldn't the government take heed of Justice O'Connor's wise counsel and put certainty and surety in the legislation itself? I'll be very interested to see in committee and in second and third reading if the minister will provide those assurances to the House that those crucial elements will in fact be embedded in the legislation. Justice O'Connor believes that we should have concern about the items that will be laid out in regulation at some later time, without any legislative oversight. Quite frankly, Ontario Liberals agree.

As I said earlier, Ontario Liberals will be opposing this bill because we do not believe it is consistent with the recommendations of Justice O'Connor in the Walkerton report and in fact fails to address some of its major concerns. While Bill 175 addresses some of the concerns, it does not address all of them. I see it as conceivable that if this bill were to be amended in such a way, it could have the support of all members of this House, and I hope the government would be willing to work with the official opposition to ensure that this bill complies with the wise counsel of Justice O'Connor.

I want to give you some examples of how O'Connor said Bill 175—or Bill 155 at the time—could be strengthened, could be acceptable to his vision for water quality and safety. As I said, I will not be supporting this bill unless the government includes an amendment that reflects a key point—in fact, there are several key points raised by Justice O'Connor.

Number one, specifically prohibiting municipalities from selling off water and sewer systems to the private sector. Let me repeat that: there is no provision in this bill that specifically prohibits a municipality from selling off its water systems, contrary to what Justice O'Connor had to say on page 332 of his report. Ontario Liberals believe that the private sector has a role to play in the construction and perhaps in the operation and management of water systems, but ownership of the system must remain in public hands.

Justice O'Connor supports this position explicitly. He says, "In not recommending the sale of municipal water systems to the private sector, my conclusion is based on several considerations: the essentially local character of water services; the natural monopoly characteristics of the water industry; the importance of maintaining accountability to local residents; and the historical role of municipalities in this field,"—part two, page 332, of Justice O'Connor's report. I agree. In fact, dare I say it's a common-sense notion?

I want to put the government on notice and I want to put the minister on notice that the official opposition will be introducing a specific amendment. We'll be introducing several amendments, but we will be introducing a specific amendment that will prohibit private ownership of municipal water systems.

I know we had a lot of bandied-about comments about a clean drinking water act. In fact, when our colleague from the third party, Marilyn Churley, introduced her Safe Drinking Water Act, there was no prohibition on the sale of water systems to the private sector. So Ontario Liberals will be the only ones standing up in this Legislature to place an emphasis on this key and critical question about ownership, about a natural monopoly. Speaker, you can rest assured that we will be holding the government's feet to the fire. If they accept that amendment, it would go a long way to helping us support the bill.

**Mr John O'Toole (Durham):** Maybe yes, maybe no.

**Mr Caplan:** I hear the member from Durham saying, "Maybe yes, maybe no." Aren't you committed to Justice O'Connor's report? I remember I heard Premier Eves say to this House—

**Mr O'Toole:** On a point of order, Mr Speaker: I would like to make sure that the member opposite is not impugning my particular motives. We support all the 121 recommendations of the Justice O'Connor report.

**The Deputy Speaker:** Order. Take your seat, please. You may resume.

1600

**Mr Caplan:** It's not a point of order, in fact, Speaker.

I've heard this line from the Premier and from the Minister of the Environment on several occasions, but if that were the case, why is the prohibition of the sale of Ontario's water systems to the private sector not contained in Bill 175, as was recommended in O'Connor's report? A good question. So we're going to put the member's and the Premier's words to that very test. We shall see if the government does not only accept the spirit but the letter of O'Connor's very wise counsel. As I said, I hope the government will support it. The Ontario Liberals will support Justice O'Connor, will in fact support the amendment, which I know my colleague the outstanding member from St Catharines will be bringing when this bill comes to committee.

There's a second measure of this bill that falls quite far short of O'Connor's report. The bill offers no guarantees that there will be any form of financial support for water and sewer infrastructure for smaller communities. I come from the city of Toronto. We have an enormous base of people, an enormous base of commercial and industrial activity. We can spread our costs for water and all of the other infrastructure in a municipality across millions of people. But there are many communities no less deserving of safe, clean drinking water that don't have that ability. That's the role for the provincial government to step forward.

As O'Connor clearly showed, this government was warned—actually, they were warned by their own



officials, they were warned by the medical officer of health, they were warned by the previous Environmental Commissioner that their reckless cuts to the environment would put the protection of our public health at risk. They were warned repeatedly. As Dr Richard Schabas said, Premier Harris and Premier Eves turned their back on public health.

Even two and a half years after the tragedy of Walkerton, the provincial government is still sitting on hundreds of millions of dollars in desperately needed water and sewer infrastructure funding. The funding was promised in August 2000, yet it looks like they're going to wait for an election to be called until the funds start flowing. How utterly cynical.

The Ontario Jobs and Investment Board calculated that a minimum of \$9 billion is required for the rehabilitation of Ontario's municipal water and sewer systems. Nine and a half million Ontarians rely on municipal drinking water plants for their drinking water. With the province now only offering one-time-only financial support, many municipalities will not be able to finance the expansion, the repair, the retrofit of water and sewer systems.

A February 2000 Ministry of Agriculture, Food and Rural Affairs report said, "Water and waste water systems are at capacity in many rural communities. Due to their limited tax base, these municipalities are having difficulty financing any expansion of their system." Those were the government's own advisors. That was two years ago. Where is this so-called commitment to providing safe, clean drinking water? Two years ago.

Traditionally, the Ontario government provided municipalities with \$100 million to \$150 million per year in grants. Most of the funds went to smaller communities with populations below 15,000, perhaps rightly so. However, Premier Harris and his Treasurer, Ernie Eves, eliminated all provincial financial support as part of their so-called Who Does What municipal downloading exercise. Reacting to negative media at the time, the Tories brought in a one-time \$200-million water fund that was quickly allocated. Following the Walkerton tragedy, the government brought in another one-time \$240-million: OSTAR, the Ontario small towns and rural initiative program. The program was announced in August 2000 and little more than \$40 million has been allocated. The government has been sitting on hundreds of millions of dollars.

Finally, I want to quote Justice O'Connor to end my time. He made specific reference to municipal government downloading: "The financing of water systems does not occur in isolation of other pressures on municipal budgets. In light of recent restructuring in the municipal sector, especially the transfer of additional open-ended social service costs ... to municipalities in 1998, there is currently some uncertainty about the ability of municipalities to finance all the programs they are responsible for."

**The Deputy Speaker:** The floor is now open for questions and comments. Members have up to two minutes.

**Mr Michael Prue (Beaches-East York):** I listened with some interest, and I think the member from Don Valley East spoke very wisely and very well. He touched on many of the concerns that my caucus has with this bill. Quite frankly, I think a couple of points he made need to be highlighted and reinforced: first of all, the difficulty that many small municipalities in this province are going to have to finance the water infrastructure in their respective municipalities. This is a very difficult and costly proposition, particularly where the water systems are old. I'm speaking here about some of the smaller, rural and more northern communities that have built the water infrastructure over many years and are starting to see them deteriorate. This will be extremely difficult for those municipalities to finance.

We're also seeing boil-water orders in many parts of rural and northern Ontario. We're seeing little towns where people are forced to boil each and every drop that they pour from the tap. It is not safe for them to drink it. Much as I feel very safe lifting up this glass to my lips, knowing that it came from the city of Toronto, knowing it is one of the purest waters in the world, knowing that it's even purer, in terms of what's in it, than Perrier water that people spend \$2 on for a little bottle—for \$2 you can buy hundreds of gallons of the water that comes from here. I'll prove that I like it. That's not true in tiny little municipalities.

Last but not least, he talked about the municipal downloading that's going to happen. It's happening not only in places like Toronto, Hamilton or Ottawa; it's happening in every little town, and if it's not the water system, it's other costs. The municipalities are going to need a lot of help from this province if in fact they're going to be able to accomplish what this bill sets out.

**Mr O'Toole:** I listened this afternoon with a great deal of interest on the Act respecting the cost of water and waste water services. Just recently the minister, heaven forbid—the member from Don Valley East made some reference to their party's support for the Safe Drinking Water Act and Bill 175. In his comments, making some reference to Justice O'Connor, he implied that somehow the government—and I just want to put it on the record: what did Justice O'Connor say about Bill 175? Let's put it on the table right now.

He has been supportive and suggested that the act would address many of the important issues concerning the financing of water systems that he discussed in his report, such as recommendations 47 and 48. Recommendation 48 says that municipalities should have a plan to raise adequate resources for their water systems from local sources of revenue.

O'Connor also recognized that if the system is still too expensive after all options have been explored, then the province should make assistance available to lower the cost per household to a predetermined level. Since the government has started its commitment to implement all—I might stress that—all I believe 121 recommendations, what are the plans to address this one?

The province is working closely with the municipalities to ensure the infrastructure needed, to identify and

develop strategies to meet these needs. If I looked at the Walkerton issue and even before—it came to my attention in the period when the Liberals were in government. Mr Bradley would know this. In 1986, I believe, the first tests revealed a problem with well number 6 in Walkerton. No government, not the Liberal government, not the NDP government, responded to any of those reports that well number 6 had problems.

So I think there's more work to be done. We're the government to do it.

**The Deputy Speaker:** The member for St Catharines. 1610

**Mr James J. Bradley (St Catharines):** The member is referring, of course, to the period of time when the Ministry of the Environment had a huge number of very talented, highly skilled and scientific staff, when it had the clout to do its job properly and when it had the financial resources.

The member for Don Valley East will recall that this government, when it came to office, virtually dismantled the Ministry of the Environment, firstly, by cutting the staff by some 33%, fired out the door, many of them in the water division of the ministry; second, by cutting the operating budget by over 50%; and, if I could put a third in, by removing any clout from the Ministry of the Environment by telling its employees that, first and foremost, they should be business-friendly. They would know how to interpret that as being easy on businesses who are going to perhaps be close to breaking the law in the province, if not breaking the law. That's most unfortunate because that's precisely what we tried to change in the Ministry of the Environment and were having some success doing.

What I'm concerned about, and the member alluded to this, is the cost to consumers. I think the principle of the bill is reasonable and I think the bill can be rescued with amendments that we can put forward. But with people getting huge hydro bills right now—if you want to listen to your constituency office, those calls are coming in about the outrageous increases in the price of hydro-electric power in this province. Second, there are huge increases in insurance. Third, natural gas is going way up. Fourth, gasoline at the pipe is going up. There are new municipal user fees because of provincial down-loading. There are new provincial user fees, such as the huge increase for birth certificates and so on. All of this means that we're going to have to assist some municipalities in meeting the considerable costs that will flow from the provisions of this bill.

**Mr Gilles Bisson (Timmins-James Bay):** I enjoyed the comments by the member. I know he didn't have enough time to comment on a few aspects of the bill. One is how we ended up in this mess in the first place. I was astounded by listening to the member from the government side say that they were the government to deal with this problem. They forget that they're the government that created the crisis that we're in now. It was this government that slashed by over 50% the Ministry of the Environment budget, slashed by 50% the number of staff,

privatized the labs, did a litany of things that led to the drinking water in Walkerton and other communities, quite frankly, being unsafe.

This government was forced, by the opposition parties, to appoint Justice O'Connor to go out and do the inquiry that he did. He's now come back with his recommendations, and now this government is trying to somehow take credit as having done something good. If you've done anything good, it's to try and fix up the mess you created in the first place. Don't come in this House and tell us that drinking water has been made better by the actions of this government—quite frankly, it's quite the opposite.

The other thing is that the members talked about what this means to small communities, rural and northern communities. It's perfectly right. In communities across my riding, as it would be for Nickel Belt, Timiskaming, Kenora, all across the north, and I'm sure the same is true for other parts of the province, municipalities now are having a hard time trying to fund municipal infrastructures, trying to comply with the regulations the government has already put forward. A number of communities are not able to comply. The government's response has been, to date, "If you can't comply with existing regulations that the Tory government has put in place, not a problem; let's put off the implementation date from January 1, 2003, and push them off until after the next provincial election in July 2003." That's so far been the response of the government.

I say, if they're having a hard time trying to meet what you've already put on the table when it comes to being able to meet the fiscal challenge, how are they going to be able to deal with this? This bill, in the end, doesn't deal with that. What it's about is more user fees for consumers, and I don't think that's a good thing.

**The Deputy Speaker:** The member for Don Valley East now has up to two minutes to respond.

**Mr Caplan:** I want to thank the members from Beaches-East York, Durham, St Catharines and Timmins-James Bay for their comments.

They echo, perhaps except for the member from Durham, Justice O'Connor when he says on page 313 of his report, "I encourage the province to publicly review the program responsibilities and fiscal capability of municipalities in light of recent restructuring to ensure that the financial pressures on municipalities do not crowd out the adequate financing of water systems." What does that mean? It means that the Harris-Eves government has downloaded costs on to municipalities that are crowding out the ability to finance critical areas like providing safe, clean drinking water.

I would only say to the member from Durham, who spoke in terms of the government accepting all of the recommendations of Justice O'Connor's report, that if that were true, then I trust the government will be accepting the amendments that the official opposition is going to bring to ensure full compliance with O'Connor's report. It will be interesting to see whether the test of their commitment is true or not.



I am a little bit cynical, I must admit, having seen this government break its promise to the people of Ontario on so many occasions and recklessly put the people of Ontario in danger by their reckless cuts to the environment, by the gutting of the Ministry of the Environment staff, well laid out by the member for St Catharines, the member for Beaches-East York and the member for Timmins-James Bay. I am in agreement with them as to the wanton disregard that the Harris-Eves government had in relation to people's health and safety. We have paid the price. Seven people lost their lives. It was tragic. We want to make sure that never happens again. So I hope to one day support Bill 175.

**The Deputy Speaker:** The floor is now open for further debate.

**Mr Prue:** It is indeed my privilege to stand here today and talk about Bill 175. I've been here in the Legislature now for 53 weeks; this is my 53rd week. Throughout much of that time we have been talking about privatization, primarily about hydro, primarily about what is happening with the costs of hydro as it is deregulated and being sold off piece by piece to the highest bidder. People across this entire province are starting to get those hydro bills, and the phone calls coming into my constituency office seem to increase each and every week with people disgruntled about what those bills say, how much they cost, all the extra, added little charges that come to bear.

Today I got a letter from a person from rural Ontario who uses very little electricity, and he is most disgruntled. He is disgruntled because although he uses just modest amounts of electricity, he has to pay a minimum fee every three months. That minimum fee used to be \$20 for his electricity. He seldom would use that much electricity to actually incur that cost, but he did need the electricity for lights and some other things in his house. He heats with a wood stove and he tries to conserve wherever he can. That new minimum cost is now \$65, so his electricity bill has gone up three times as a result of privatization.

We have here, I think, another bill that is leading in exactly that same direction. It causes me no comfort, no comfort at all, that with the privatization of water the consumers in this province will be in any way better protected than they have been around this entire electricity privatization fiasco.

There are many things wrong with this bill, and I'm hoping it does go to committee. I'm hoping that some of the problems can be ironed out. I'm hoping that some of the fears that I and others express across this province can be assuaged.

There are three problems that we see.

Number one is that there is talk about full cost recovery, but nowhere in that full cost recovery, which may be a good idea, is there any talk whatsoever about source protection. Justice O'Connor talked about source protection as our first responsibility, and that is not included in this bill.

The second problem with this bill potentially is that the ministerial discretion is too broad. It allows the

minister to make regulations and to enforce his or her will upon the municipalities. We have all seen the problem this has caused in downloading to all of Ontario's 480 municipalities, and the fact that these very same municipalities are struggling each and every year to meet the tax requirements with the new responsibilities that have been given to them, responsibilities that are not of their own making but have been downloaded from Queen's Park.

Last but not least, we see that the delegation of powers that the minister exercises is far too broad, and his authority to redelegate that to third parties, including private companies, is far too broad and in the end may not protect the interests of consumers or the public in general.

1620

The first problem, in trying to get to some of the minutiae here, is that the municipal finance systems are delicate in this province. The money is raised largely by the tax rate on properties; that is, homeowners, condominium owners, business owners, factory owners and the owners of multi-residential units all pay taxes on the value of those properties. It makes up some 60%, sometimes 70%, of the tax rates of the municipalities. These are very delicate, and I would tell you that the tax systems were designed in such a way that they can look after truly local decision-making.

When the province downloads or imposes rules and regulations or systems upon these municipalities, it may make it increasingly difficult for the infrastructure to be maintained vis-à-vis the amount of assessment that is available in those municipalities. One has to be very careful in making regulation, and we do not see anywhere in this particular legislation where that has been taken into account sufficiently to make sure all of the 480 municipalities in this province are able to take on the enormous task which may befall them.

The second problem we see is that the legislation allows for water export to other jurisdictions. In fact, it even encourages it. What we have now is what many Canadians are starting to be fearful of: we are starting to be fearful that our water will be exported primarily to the United States—but if Newfoundland, I guess, has its way, in huge tankers to anywhere in the world that wants to buy it—draining lakes, much as the lake was drained just outside of Wawa to produce electricity. We may see in fact that lakes are drained for their water so that that water can be exported to places around the world. This causes, and should cause, a great deal of difficulty to all Canadians, to all Ontarians. Our water should not be for sale. It is a resource to this province. It is a resource that we covet. It is a resource that we try to protect for ourselves and for future generations. It is a resource that sustains life. It is a resource on which much of our recreation in this province depends: people who like to go boating or fishing; people who rely on the water for agriculture; people who rely on the water for 1,000 different reasons—

**The Deputy Speaker:** Sorry to interrupt. Please take your seat for just a moment. There are five other con-

versations going on and it's just starting to get a little bit louder. If you'd please take those conversations outside or, at the very least, keep your voices very low, I would be most appreciative.

Sorry for the interruption, Member. Please continue.

**Mr Prue:** I don't know whether I was speaking to the members opposite or on this side anyway. I was speaking to the television camera, as I am wont to do.

The reality here is that this will allow—I'm going to get into the privatization argument toward the end—foreign corporations to export our water. Once they have come in and taken control of municipal waterways—our springs, our lakes and our rivers—then it will become increasingly possible that foreign corporations will control our water, our waste water, and then in turn will be able to market it, send it and sell it to other bodies, to other jurisdictions, to other governments, to other countries.

With the greatest of respect, this bill does not deal with this and needs to deal with water exports. Clearly the federal government has made a commitment, at least for the near future, that there will be no exports of Canadian water, but this seems to be some way of allowing private corporations to sell the very water that we need to sustain our communities and the life in this province.

Thirdly, Mr Justice O'Connor has stated throughout his report that it is important that we develop a system from source to tap. The problem here is that although there is a system designed for the tap, there is nothing here for the source. There is nothing here that would allow for adequate financing to protect the source of our water supplies, whether they be in reservoirs or lakes or rivers or, in the case of Toronto or Hamilton, Lake Ontario. There is nothing here that would allow for the renewal and replacement of old and decrepit pipes, nor is there anything here that would allow for improvement costs to get water systems up to a standard we can afford and that every community should and must have. What happened in Walkerton was a crime to that community, and it should not be allowed to befall any other community that has an antiquated water system or a civil service that is incapable of doing the job, or inadequate money for chlorine and supplies. Therefore I think Mr Justice O'Connor is absolutely right that the source must be protected and must be foremost in our minds.

Mr Justice O'Connor went on to talk at great length about watershed planning, and he was committed to that idea. Will this watershed planning happen? If there is a download to municipalities, that cannot happen. It is, I would suggest, highly unlikely that this will be the case should this bill be adopted in its present form.

The fourth problem here is that water quality monitoring stations are quite abysmal. I read here from the annual report of the Environmental Commissioner of Ontario, because he has said it far better than I ever could. I'd just like to read this for the record, for those who are watching on television and for the odd one who may be listening. I quote here from page 47:

"From the above list, there would appear to be a comprehensive list of monitoring activities underway that could address the status of a broad range of ecosystem components. The provincial water quality monitoring network, however, has provided the main overview on water quality data for rivers and streams. Unfortunately, MOEE severely cut back on its monitoring network, from 730 stations in 1995 to 240 by 2000. Only six of these stations are located across the vast expanse of northern Ontario. The remainder represent less than six stations per major watershed in southern Ontario. The dismantling of the network seems clearly inconsistent with MOEE's 2001-2002 business plan. The water bodies at the stations are sampled between two and 12 times per year for up to 39 parameters, mostly metals, nutrients and ions. No consolidation or interpretive reports are produced from the acquired data, and this severely limits the usefulness of the data to environmental decision-making and to the public."

Clearly, the water quality monitoring stations are instrumental and key to any province-wide decision on safe water. Without them, this bill is weak. I would hope, if this goes to committee, that this can be added to the legislation as well.

We have the problem of local decision-making. The minister will define the sources of revenue that each of the municipalities or each of the water boards may access. He or she defines the sources of revenue. At the same time, the minister will set the maximum amount a municipality or entity may raise the rates; that is, if a municipality decides it must double the rates for water in order to improve the infrastructure, and even should the citizens of that municipality agree this is a good thing rather than have inferior or harmful water, it will still be up to the minister to say, "No, you cannot do that," and the minister could say, "No, you cannot do that," which would take away local decision-making from a community that knows what they want and knows what they need to make the best decision. This does not seem to be a correct provision of the bill.

Surely a municipality, no matter how large or how small, that wants to protect its citizens and spend more than the maximum amount set out by ministerial guideline should have the right to do so. Allowing the minister to set the maximum amount and determine and define the sources of revenue for the municipality is a backward step when we in this province are trying to make municipalities and municipal politicians, who are elected locally and are there to serve local interests, accountable to the people they serve.

1630

This brings us down to the delegation of powers. There is also a problem in this legislation where the minister may delegate any of his or her powers to any third person, whether that person is a member of the bureaucracy of this province or is employed by this province. I would even put out the scenario that the delegation may be sent down to a private corporation that is managing the water on behalf of a municipality. We



would see the I think terrible circumstance where the minister would delegate responsibility to a foreign company which, in turn, quite literally would not do what was in the best interests of the municipality they were serving, especially if they had a long-term contract and especially if what they were required to do was expensive.

It is often said on the other side of the House that privatization is a good thing. I would beg to differ. My own experience in municipal politics showed that privatized services most often, if not always, were inferior to public ones. First of all, the people do not have the pride of ownership. Second, there must be a profit made, because why would anyone be in a private business if not to make a profit? Therefore, oftentimes many services, many safeguards are skipped in order to make sure that money is made.

Just a few examples of what is happening around the province should ring alarm bells to everyone. The city of Hamilton, Mr Speaker, from whence you come every morning, has had I think some pretty poor experiences with the privatization of water. We know, and we have read in the paper over the last number of years, about the spills into Hamilton Harbour. We know what has happened with the quality of the water. We know that the company has been flipped several times, as to who is providing the services, and it is now in the hands of RWE, a very large water company in Hamilton with all the inherent difficulties of the flipping back and forth, the spillage, the problems that I would suggest have not happened in similar-sized jurisdictions in this country which have remained in public hands.

We have the problem in Goderich, Ontario, which has hired USFilter, a division of Vivendi, a company located and headquartered in France. Vivendi is the same company which has been investigated in France on six corruption cases in the years between 1989 and 1996 for operating a cartel. In fact, this same company is being investigated because they channelled 2% of all the monies they earned from operating water courses in France into political parties. I would suggest they have literally bought their way into providing water services. They have taken money from the public to provide ordinary water and have channelled it into political parties in that country not in order to further the interests of the people for whom they serve, but in order to further corporate interests. They are being investigated for that too.

You have the fact that Vivendi, in one of the jurisdictions where it has its major company, in the city of Tréguex in France, between 1990 and 1993 provided water unfit for human consumption or for any animal's consumption on 496 days in that three-year period. That is, in order to cut costs and make money, they have provided water that was unfit for consumption. That is a private company in France which is being investigated, as we speak, for the many problems they have caused those communities.

We have the problems in Sydney, Australia, which has been privatized by the company of Suez-Lyonnaise des

Eaux, and the problems in that jurisdiction are becoming well known. Probably the most important is that for two or three weeks running in Sydney, Australia, there was a problem with cryptosporidium, which is a water-borne virus that was found in the water in 1998. The company, Suez-Lyonnaise des Eaux, did not inform the general public and allowed them to continue drinking the water. The entire system had to be flushed and chlorinated, in a very large city, for any of those who have never been there. That was in order to save them money and potential lawsuits.

We have the entire problem of Great Britain. In Great Britain, although there have not been health hazards like there have been in France and in Sydney, Australia, or even dumping like there has been in Hamilton Harbour, there is the problem of higher costs. Water rates have skyrocketed since they were privatized. But even though the consumers are paying more, very little money, if any, is being put into better infrastructure. All of the money that is being made is going into corporate profits and not to service the people of Britain. The same companies that have privatized are now considered to be major sources of illegal sewage and dumping. They are also some of the prime offenders of environmental law in Great Britain. The people of Great Britain have not been served by privatization, and in fact there is quite a movement to look at going back.

My time is just about up. I would urge the members opposite to send this to committee, to do the right thing and to make the necessary changes that bring this in line with the report of Justice O'Connor, and to do the right thing with all of the recommendations.

**The Deputy Speaker:** Members now have up to two minutes for questions and comments.

**Mr O'Toole:** It's always a pleasure to respond to the member from Beaches-East York. I really do admire him as a member. I've done some work on different opportunities with Mr Prue. I believe what he said and I think he's quite sincere about what he is saying. But I also believe this government is quite sincere in the intent of this legislation. I have it under every conceivable assurance. Our Minister of the Environment, Mr Stockwell, as well as our Premier, has indicated that this bill goes the full distance of implementing Justice O'Connor's decisions and recommendations.

I believe there will be circumstances, when I look at my riding of Durham—it's a very large geographic area. There will be important infrastructure decisions made in smaller communities that have community water systems, as well as smaller kinds of hamlets etc which may be made up of primarily wells or community wells. Water quality should not be second in any way to the issue of this government being there to make sure the right resources are there. But what this bill really does do—and later on today, those viewing should know, I will be addressing the bill. Stay tuned.

I believe there is an important amount of reporting to the ministry in a timely manner, that certain regulatory disciplines are followed by the upper-tier municipality. In

my area it's the region of Durham that really is responsible for water, and always has been. In fact, I've never sent one of my water bills to the province; they've always been to the region of Durham. So upper-tier municipalities, those from areas with a good assessment base, shouldn't have a problem at all. But I think in areas of the province that don't have the rich assessment base, there's certainly got to be room for discussion in looking forward to making sure we have the safest drinking water in all of Ontario.

**Mr Bisson:** My colleague certainly touched on a number of issues on this particular bill, but the one I want to just touch on quickly is the privatization aspect. As a social democrat, I don't believe that privatizing water systems—or privatizing government services, for that matter—is going to lead to any kind of savings. I don't believe it's going to lead to a safer drinking water system. I believe, quite frankly, that those services should stay within the public sector. They should be properly regulated by the province, they should be properly funded by the province when it comes to making sure that we maintain a good infrastructure, but at the end of the day it should be run by the public sector, and for a number of reasons I believe that.

**1640**

In every instance where we've seen this government, or for that matter other governments, go out and privatize entities that used to be controlled by the province and owned and operated by the province, there has yet to be really a case made where privatization has saved us any money. Back in 1996 this government "outsourced," as they called it—privatized—road safety and road maintenance services across this province. They told us when they did this that we were going to save a bunch of money. Here we are some years later, now about six years after they privatized, and services are bad. We're now shutting down highways where we never have before. It's costing us more money, but what's worse is that when people call to complain about the state of the highway, there's little they can do, because it's run basically by private corporations.

In the case of water privatization, if there has been one disaster in England that everybody is unanimous on, it has been the privatization of water. Maggie Thatcher's legacy in England, which everybody is in unison on as having been a disaster, has been the privatization of water.

If you take a look at your own municipality, as you well know, Mr Speaker, in Hamilton there has been the privatization of water already. Look at what that has brought. It has brought a host of problems in that community.

So I say to the government across the way, privatization is not the way to fix this problem; it's by you taking responsibility as a government, properly regulating and properly funding the infrastructure for water in Ontario.

**Mr Ted Chudleigh (Halton):** It's a pleasure to rise in the House today to respond to the member from Beaches-

East York. I don't know what the calendar says, but the weather outside certainly makes one think of fall. I think really this is the first day of fall, beginning the beautiful colours we have in Ontario. When you look at the pristine countryside around Ontario during our fall season, you understand why it's so valuable for us to have good, high-quality water, because almost everything that touches our environment is controlled by water. This bill does that.

I was disappointed in some of the members' comments. They tend to look around the world and find the worst-case scenarios of water situations that are ill-defined as to how those things could be translated into the Ontario condition. I suppose it might be said that if we looked around the world at those scenarios that have come to pass, perhaps we may have learned a little bit from some of those situations to ensure that we have some of the best-quality water in the world.

I think this bill is particularly important because it puts a lot of responsibility on municipalities to ensure they maintain a high quality of water. It's very easy for a municipality to spend money on something that can be seen, like an arena or recreational centre or something like that, an arts centre. Sometimes it's a little more difficult for a municipality or an upper-tier government to spend money on something that can't be seen, something in the infrastructure under the streets.

I know the town of Milton has just recently renewed all of their water mains underground. For the past two summers the streets have been ripped up, the businesses have been upset, and the mayor has run constant interference. I think perhaps a little help on that would be of assistance.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I hadn't anticipated speaking on this, but I did wander into the House on it because it's a topic in which many members of this House have a considerable interest. I want to say to the member from Beaches-East York that I always appreciate your ability to put a historic perspective on some of the issues. We don't always agree, but it seems to me that you're more often than not well-researched. I suspect that comes from your very deep background in municipal politics and that sense of being in the trenches.

I think it was Bobby Kennedy who once said that good judgment is based on experience, and experience invariably on bad judgment. I think when it comes to water, particularly in Ontario, we see some case evidence of that. I think there's some merit in parts of what the government is doing, wanting to get on top of the water issue, cost recovery. Our own preference on this side of the House would be to do it in an all-party way, recognizing that we in fact haven't gone the full distance.

In his report, Justice O'Connor, in addition to talking about water being a cost-recoverable item—and I agree with Mr Chudleigh's comments about municipalities, often with the wrong priorities, perhaps not focusing enough. But notwithstanding that, the good justice also went on to talk very forcibly about the need for water to



remain in the public domain and his particular concern that smaller municipalities, those without a large assessment base, not be left short in terms of providing good, clean, potable water, our most precious liquid resource.

With that, I'm pleased to enter the debate and thank the member from Beaches-East York for his candid remarks.

**The Deputy Speaker:** Thank you. The member's time has expired. The member for Beaches-East York now has up to two minutes to respond.

**Mr Prue:** I would like to thank the members from Durham, Timmins-James Bay, Halton and Ancaster-Dundas-Flamborough-Aldershot. I can only hope that with some of these long names—I don't see the member here, but Bramalea-Gore-Malton-Springdale is another one. I hope when they come up with the new boundaries, they somehow shorten the names so that they're better understood by all.

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** You have to respect local communities.

**Mr Prue:** And respect the local communities at the same time. That's why we have Beaches and East York, but I think two are enough. I'd like to thank the members and just talk very briefly.

Yes, I did speak about some of the worst cases, to the member from Halton, because I feel it is necessary to point out what some of the really bad privatizations have brought about. Undoubtedly, there may be some good ones somewhere; I'm simply not aware of them. Certainly we see that when problems develop, when one goes from the public domain where there are very few problems to the private domain, one needs to be very wary of what one is going to inherit and must make every reasonable effort to make sure that doesn't happen. In my own view, the best thing that can happen, as Justice O'Connor so rightly said, is to leave water, water sourcing, water testing, sewage and all of that in the public domain.

We have to come up with the best quality of water. We are blessed in this country with the highest percentage of water per capita of any people on the face of this earth. I forget what the statistic is. Something like 25% of all the fresh water in the world is in our country and if we have water that good and of that quality here, then we should be maximizing its use and ensuring that it stays that way.

Last but not least—well, no, I guess I've run out of time. I thank them all, Mr Speaker.

**The Deputy Speaker:** The floor is now open for further debate.

**Mr O'Toole:** It's my pleasure to stand on behalf of the Ministry of the Environment to spend some time discussing a very important initiative taken by the minister, Bill 175, An Act to respecting the cost of water and waste water services. It was introduced by the minister on September 23. In fact, there was a predecessor bill, Bill 155, which was introduced by the prior minister in the time of the Justice O'Connor report.

For those viewing, this bill is quite an effective short bill. It's some eight or nine pages, which really means that, since it's bilingual, it's probably about four pages long. It's got 26 sections, ranging from definitions down to full cost recovery of service and implying what that means. It's also a reporting mechanism to the Ministry of the Environment, revisions to reports and plans, enforcement mechanisms and general administrative issues with respect to that bill.

I can tell members present and those listening today that in my riding of Durham, last Thursday evening after the House recessed, I attended a meeting with the mayors and regional councillors of the region of Durham. One of the top issues was the press release by Mr John Steele of the Ministry of the Environment outlining some 22 charges with the region dating back, I might say, to around 2000-01. Many of them were more or less reporting issues. I think it's before the courts and I won't say anything more than that.

I was told by council that they were quite concerned, not about water quality or water safety issues so much as the mechanism of the press release coming from the ministry. They really hadn't had much advance notice. Their constituents were calling and immediately the reference point became Walkerton. We all know it was a tragedy which all of us were affected by to some extent. All of us were awakened to the cost of water and water quality in terms of lives and human health.

1650

Surprise, surprise: water is not free. That, to me, is important. Unfortunately, it took the Walkerton experience. As the member said earlier, I guess it was President Kennedy or somebody who said that good judgment is based on experience, and experience is often based on bad judgment. It's a very good way of saying that if you look at Walkerton, which was a publicly operated system, there was clearly very little accountability, from anything I heard during the inquiry. There were those involved in the administration and reporting who, in my view, did not do their jobs. You can't legislate against stupidity or ignorance, but in this legislation I think this government is trying to bring forth a mechanism to make sure we have good reporting, good accountability and good enforcement, to make sure that no longer are we able to accept anything but the best in terms of water quality.

I want to pay respect to our regional chair, Roger Anderson, whom I spoke with, as I said, as well as the mayor of Brock township, Terry Clayton; Doug Moffat, mayor of the municipality of Scugog; and Gerri Lynn O'Connor, mayor of the township of Uxbridge. All these people spoke to me directly on the issue I have just mentioned, and I have assured them that I will bring their concerns—that is, proper public communication with respect to these water reporting mechanisms—so we don't have outrage in the community based on information that may not relate to the water quality issue.

This particular bill primarily deals with a couple of things: the government's effort to ensure that residents

have access to clean, safe drinking water. We're committed to enforcing the best and toughest drinking water standards in the world, and must ensure Ontario's water supply and water services are safe and sustainable for the future. That component of the argument is very important.

I'm very pleased to take part in this debate and to represent the concerns of my constituents. I might say that my constituents represent a broad range of people on individual private wells and community wells, hamlets with a mixture of water services by the upper-tier government as well as private wells, and then the urban areas, which are generally serviced by the upper tier—the regional level of government is actually mandated to look after the water and the services.

The legislation continues the decisive action we have taken since the summer of 2000 to ensure safe, clean drinking water for all residents. We believe in Commissioner O'Connor's report on the Walkerton inquiry and, because of that, have committed to implement all the 121 recommendations he made. Let me restate that for those who are still paying attention: we believe in Commissioner O'Connor's report on the Walkerton inquiry, and we have committed to implementing all 121 recommendations.

We agree with him that sustainable municipal water and sewer financing is essential. It's the basis of the entire equation. Let me remind members that I haven't recently sent payment for one of my water bills to the province. It's been a municipal responsibility for many, many years. Sustainable financing makes for good planning. It promotes water conservation. As we have seen this past summer, with very little rain in certain periods, municipalities were taking proactive steps by encouraging people to water their lawns on odd-numbered days or other mechanisms. But the whole thing is raising the consciousness of sustainability and conservation, which are important measures.

I reminded you in my opening comments that water is not free. Everywhere I go today on the streets, specifically young people have two things in their hands: one is a cell phone, that of course should always be used hands-free, and the other is a bottle of water. I don't know what has happened, but certainly that's an indicator to me. When I see that, I know that part of this is that all of us want to have the safest, cleanest and most reliable form of drinking water possible. I know our Minister of the Environment is the very person to make sure this happens.

If passed, the Sustainable Water and Sewage Systems Act would require all owners of these systems to undertake a full cost accounting of their water and sewage systems. Detailed analysis would include all operating and capital costs and all sources of revenue and the investment required to maintain and indeed expand these systems.

Bill 175 would also require system owners to develop comprehensive asset management reports and then provide a plan for implementing full cost recovery.

If passed, we would implement this bill in two stages. The first step is aimed at assessing the full cost of water and sewage services in each municipality. The second phase would involve bringing full cost recovery forward in a way that makes sense for each municipality.

I have every assurance that our Premier will make sure we work in a co-operative pattern with each lower-tier and upper-tier municipality.

Justice O'Connor said, "In my opinion, if passed into law, the act will address many of the important issues concerning the financing of water systems.... The requirements for a full cost report and cost recovery plan, as generally expressed in this proposed act, are in my view appropriate." That's very important, and indeed it responds to recommendations 47 and 48, for those who have actually reviewed that very comprehensive set of reports.

Justice O'Connor also strongly supports the implementation of asset management and full cost recovery plans in relation to drinking water treatment and distribution systems.

I know this bill is not new to the members of this Legislature. First introduced in December 2001 by the Minister of Municipal Affairs and Housing, the Honourable Chris Hodgson, who's here today, along with the Minister of the Environment and the Minister of Transportation—they're actually on duty—the Ministry of the Environment is now bringing a bill forward in keeping with Premier Eves's announcement in August, "I will have responsibility for leading Ontario's comprehensive strategy." I'm confident that it will be comprehensive.

There is good reason for tabling this act at this time. In the months since the previous bill was tabled, the Walkerton Inquiry concluded. Commissioner O'Connor made far-reaching recommendations, as members of this House know full well, and we're implementing all of them.

Consultation, of course, is essential. As we have done with the proposed Safe Drinking Water Act and are currently doing with regulations for the Nutrient Management Act, we will continue to engage and encourage public and stakeholder involvement throughout the entire process. In fact, in my view, we've adopted a strategy which I call continuous improvement. I believe the Red Tape Commission has gone a long way toward making sure that regulations, indeed statutes, have a threshold for constant review and improvement.

Moving forward, we will hold extensive meetings with our municipal partners and others to ensure that decisions made on this bill make sense. I have every assurance from the minister that we're prepared to listen and respond. We want to hear from people who will be most directly affected. They have the experience and indeed the judgment to come up with needed solutions. Our government, the Ernie Eves government, is investing more than half a billion dollars in the next two years on clean, safe drinking water for all people of Ontario. Let me repeat that: we've committed half a billion dollars in the next two years.



I often stop and have to ask, where's the federal government on this issue? The Great Lakes, the water systems that feed into and out of Ontario—they're absolutely silent. As usual, I'm very suspicious of where they are on this issue. In fact, for many years the Canada-Ontario infrastructure programs have been a really substantive part of building that infrastructure. That's federal-provincial money, and I believe they have to come to the table and make a commitment for those very expensive components of a proper water treatment and water delivery system.

The government will deliver on its budget commitment to establish the \$50-million clean water legacy trust and the Clean Water Centre of Excellence in Walkerton to provide access to the best scientific knowledge, research and technology and training in the management and monitoring of our safe drinking water.

I know Mr Murdoch, the member from Bruce-Grey-Owen Sound, along with the Minister of the Environment, was there.

Someone has their cellphone on, and I'd ask them to stop distracting me and other members of the House. I'll have to collect my thoughts here. Wayne is coming to have the member removed, and I support that. I'm giving a running commentary here.

To date, our government has provided municipalities and conservation authorities with over \$14 million to conduct groundwater studies—just the beginning. This government is working to build the strongest and most reliable infrastructure in this province by forming partnerships, I might say, as an important part of the solution. It's the largest investment in groundwater source protection in the province's history, and I know a part of that money went to my riding of Durham. Just looking at my notes here, this of course is Agriculture Week. Bert Johnson, the MPP for Perth-Middlesex, is hosting a reception tomorrow morning on that issue. I also know there was a groundwater celebration—I think it was maybe last week; yes, it was—educating young children. Our province is part of educating young people about the importance of safe water and safe groundwater.

1700

In addition, the government launched a \$6-million provincial groundwater monitoring network in co-operation with Conservation Ontario, its member authorities and municipalities across the province. It's time that all of us started considering the true cost of water and sewage services that we've often taken for granted. It's the only way we can ensure these services will be there to support the health and prosperity of future generations.

I encourage members of this Legislature to strongly support the Sustainable Water and Sewage Systems Act as well as any amendments that come forward during these consultations.

You know, I have in my duties as an elected member the responsibility to listen. People have asked me about the Justice O'Connor report, and I have shared an abbreviated version—it's quite voluminous, as you know—with constituents in a sort of lending library ser-

vice. Call my constituency office any time, and we will always respond with service above and beyond the standard.

**Mr Gill:** Web site too?

**Mr O'Toole:** I have a web site, as the member for Bramalea-Gore-Malton-Springdale—the longest riding name, I believe, in Canada—

**Mr Gill:** Thank you.

**Mr O'Toole:** And the best member.

**Mr Gill:** That's more like it.

**Mr O'Toole:** Recommendations: I often refer to some very important parts. This is right out of Justice O'Connor's report: "The provincial government should require municipalities to submit a financial plan for their water system, in accordance with provincial standards, as a condition of licence for their water systems."

Recommendation 48: "As a general principle, municipalities should plan to raise adequate resources for their water systems from local revenue sources, barring exceptional circumstances."

I fully recognize that for small, assessment-poor municipalities that have systems that are fragile, aging and maybe not well monitored, the time has come that we have to work in co-operation with those municipalities. I would be fully supportive of finding a mechanism to make sure support is there—longer-term, interest-free loans—encouraging them to make the investments, the decisions, and take the right steps to make sure we have, as our Premier said, the safest drinking water in the world. That's what Ontario expects, that's what Canadians have come to expect and that's what we've always felt, and it took a wake-up call for all of us. I say a wake-up call because Walkerton was exactly that, an unnecessary and tragic circumstance, but this government responded.

I can put on the record here that it's my understanding in researching this topic that in the 1980s—1987, 1988 and after that—there were four or five years when there were reports filed that well number six at Walkerton was contaminated. I don't think it ever operated properly. Now, I'm not a justice and I'm not a scientist, except a political scientist, if that's science—but then, that's a whole argument for another day. Minister Sterling, the Minister of Transportation, is shaking his head. Of course, he's an engineer as well as a lawyer, so I should have checked out the speech with him.

My point here is that it's clear now, after the wake-up call, previous governments did not respond. By that I mean they were told and there was no mechanism or structure in place to make sure people were notified. Since that tragedy, I'm convinced there is a mechanism in place, and I see it no more clearly than in my riding of Durham.

I want to refer in my concluding time to a press release of September 23 from the Ministry of the Environment:

"The Ernie Eves government is moving forward with water and sewer legislation to ensure clean, safe drinking water for Ontario residents, and plans to consult broadly

with stakeholders, Environment Minister Chris Stockwell announced in the Legislature today.

"The new Sustainable Water and Sewage Systems Act would make it mandatory for municipalities to assess and cost-recover the full amount of water and sewer services. The legislation was ... introduced by the Ministry of Municipal Affairs and Housing as Bill 155. It has been reintroduced by Stockwell to give legal authority to the Ministry of the Environment, as announced by the Premier in August 2002. Commissioner Dennis O'Connor, in his part two report, indicated that he originally envisioned this.

"We are listening to our stakeholders," said Stockwell. "And we're driving ahead on our commitment to the principles of full-cost accounting and recovery—key aspects of Commissioner O'Connor's recommendations."

"In the second part of his report on the Walkerton inquiry, Commissioner O'Connor made several references to the need for municipalities to ensure that their water systems are adequately financed. The reintroduction of the Sustainable Water and Sewage Systems Act is the government's next step in fulfilling the commissioner's recommendations.

"The government also plans to introduce early this fall a proposed Safe Drinking Water Act, which would deliver on 50 of 93 recommendations from Part Two: Report of the Walkerton Inquiry.

"We all need to know the true cost of the water and sewer services we take for granted," said Stockwell. "It's the only way we can ensure that these services will be there to support the health and prosperity of future generations."

"The proposed Sustainable Water and Sewage Systems Act would be implemented in two stages," as I said earlier. "The first would be aimed at assessing the full cost of water and sewage services for municipalities. The second would" be to involve "bringing full-cost accounting forward in a way that makes sense for municipalities.

"On August 22 ... Premier Ernie Eves announced that Minister Stockwell would focus on leading" our "government's comprehensive water strategy, which includes responsibility for dealing with the issues around the financing of water and sewer systems."

I'm convinced that members here will support this bill. I believe it's the right thing to do; in fact, it's the only thing to do. We need to have the safest drinking water, not just for ourselves, but for our children and our elderly and for all citizens in this province. I encourage every member to listen closely and support this legislation.

**The Deputy Speaker:** Members now have up to two minutes for questions and comments.

**Mr Bruce Crozier (Essex):** I am sure that everyone, every individual in this Legislature and everyone in this province, shares the desire that we have safe drinking water. To the extent that this bill does that, I am supportive of it. But there are three areas that concern me and my constituents that I'd like to make comment on.

The majority of constituents that have spoken to me, or when I've raised this with them—one area is that of being publicly owned. I haven't heard anyone who has commented to me that they did not prefer—and in fact asked—that all water delivery services to the public in this province be publicly owned so that there is accountability.

Secondly, that they be publicly operated—and I can give you an example. The Union Water System in part of my riding is a shared water system that originally developed with the cooperation of the private sector and the H.J. Heinz Co and the municipalities. That water system is operated by OCWA, the clean water agency in Ontario—again, a public body that, through the government, is accountable.

The third area that's of concern is full cost recovery. I understand that there is a desire to have these systems not operate at a loss, but I think full cost recovery should also include grants from the provincial government to those municipalities that find these rules and regulations unaffordable.

**The Deputy Speaker:** The member for Timmins-James—

*Interjection.*

**The Deputy Speaker:** Order. You don't just stand up and make remarks and then sit down and start heckling.

*Interjection.*

1710

**The Deputy Speaker:** Does the opposition House leader wish to make an issue of this?

**Mr Dwight Duncan (Windsor-St Clair):** No, sir.

**The Deputy Speaker:** I didn't think so.

The member for Timmins-James Bay.

**Mr Bisson:** I just listened to the comments made by my colleague cross the way. Some of the comments I can agree with. All of us in the province, no matter what our political persuasion might be, want to make sure that we have safe drinking water, so many of the issues he raised were like motherhood issues that I don't think anybody can disagree with. But I think the nub of the question becomes, how are we going to make sure that municipalities have the money to be able to follow what's set out in this legislation? You know as well as I do that your government has downloaded much in the way of responsibility on to municipalities. That has made it more difficult for them to be able to administer some of the existing regulations when it comes to water. You will know, for example, that regulations that were put in place I guess about a year and a half ago, two years ago, right after the Walkerton disaster, that I would argue your government was responsible for—basically a lot of municipalities can't even meet those regulations because they don't have the dollars to be able to do the kind of stuff that has to be done to their water or sewer treatment plants or their infrastructure that's in the ground.

So I have no argument with what you're trying to do in the legislation as far as setting up a framework to be able to make sure they have safe drinking water, but I've got a difficulty in how you want people to pay for this. I



would argue it's the provincial government's responsibility, along with the municipal governments, to properly fund and properly regulate drinking water in the province of Ontario and how we discharge effluent through our sewer systems.

But then I would go the other step. I would argue that it's not by allowing privatization that we're going to be able to fix this problem. Look at what's happened with hydro. Let's take a look at what's happened with everything else. When it comes to privatizing, there's yet a case to be made that we saved any money on privatization. So if you want to get into a debate about how we're going to find a way to properly fund these systems by way of public dollars, that's one I'm engaged to debate with you and to work with you.

**Mr Gill:** It is a pleasure to take part in the debate this afternoon and perhaps make some comments to the comments made by the member for Durham as well as the responses made to the member's comments by the members for Essex and Timmins-James Bay. I think in the heckling the member for Timmins-James Bay made some reference to the difference in the ridings in terms of the geographic area. I know his riding is a huge riding and he has to fly all over in his nice plane that he has, which is very nice.

The member for Timmins-James Bay also mentioned that the problems we had about the water are the government's responsibility. I'm hoping that he's not saying that the problem we had in Saskatchewan is also the Ontario government's problem. These are problems, as the member for Durham said—well number 6, I'm trying to refer back to his comments, I think he said for years was acting up. I don't have any proof of that, but that's what I heard in the notes. Indeed, Walkerton was a wake-up call, a wake-up call in the sense of the systems having been set up; if nobody's going to follow them, we're going to run into these kinds of problems. So it's very important to have good systems. At the same time, it's very important to have the follow-up of the procedures as they are set up.

Again, I think somebody talked about water-bottling standards. It's very important to have standards. There are places in the world where you go and purchase water and you think you're buying the best quality there is and sometimes those bottles even are recycled somewhere. So I think it's very important to make sure that we have the standards and procedures in place and we have the personnel trained to follow those procedures.

**Mr Ernie Parsons (Prince Edward-Hastings):** It is great to hear this new-found interest in safe water. The reality, though, is we got into trouble because money that needed to be spent on water was not, and restoring water to be safe in Ontario will require money. What we need to recognize is that there are costs that are common to water systems no matter what the size. Whether it's a water system for Toronto or a water system for Deseronto, there are certain fixed costs that become very efficient when you have a lot of people connected to the system but become prohibitively expensive for small

places like Ameliasburg and Deseronto and Wellington and in subdivisions like Montrose Road subdivision in my community. They simply don't have the resources to provide safe water. If the government truly believes in it, they have to recognize that not all systems can run at the same costs per capita. They have to come in and assist on such a vital thing.

I've had a number of calls and visits from constituents who own or reside in manufactured housing communities—very small water systems with maybe only 20 or 25 households—yet they have to meet the same standards, and rightfully so, of the water that's being drunk everywhere else. But economically it would be a killer, and in fact there is a potential that it removes some very affordable housing for our citizens.

The other half of the equation, which is as important—in fact, more important—is that we're directed at cleaning up the water. Let's stop making the water polluted. We need to make sure that what goes into our groundwater is not going to have a bad effect.

I would suggest as an example the dump at Napanee that they are proposing to expand. Here's a dumpsite where this government said, "We don't even need to do a full environmental assessment. We can shorten that up, and hopefully nothing will come of it." We can't live on "hopefully nothing will." If this dump does in fact ever have leachate come out, it will flow into the Bay of Quinte. That flows into Lake Ontario, and so all the municipalities that draw water from the St Lawrence River and Lake Ontario will have to spend money to take out what should never have gone in.

**The Deputy Speaker:** The member for Durham has up to two minutes to respond.

**Mr O'Toole:** I'm pleased to respond to the members for Essex, Timmins-James Bay, Bramalea-Gore-Malton-Springdale, and Prince Edward-Hastings. I appreciate their comments.

The member for Timmins-James Bay, I believe, was the one who mentioned the word "downloading." He should know—he's been here a couple of terms—that it has never been a provincial responsibility to send your water bill in. The province has always been part of the solution on the capital side of building plants, operating and maintenance on an ongoing basis where there is a lower tier.

I could also agree that once you get into the idea of full cost and full cost recovery, you have to address the whole convoluted argument of conservation and sustainability. We live on a private well at my house, so I've always told the children to cut down the showering time; don't leave the tap running just because it sounds good. When something's free, you tend to abuse it, so I think we have to find the balance there.

As for the member for Prince Edward-Hastings, I'm surprised at how little he actually knows about this issue. I hate to be personal, but it did come up. He's talking about the full cost recovery part and how he's against it, but at the same time recognizing municipalities have those systems today. What we've asked in part one, if

he's listening, is that they have to do a plan. I think, for anyone listening to the Walkerton inquiry, that's the only responsible thing for elected people to be doing. The Premier has committed to working with the lower-tier and smaller, assessment-poor municipalities to make sure we find the proper mechanisms and strategies to meet those needs. So I think I hear a lot of agreement on the other side.

Some of it is pure ignorance and lack of understanding, but if they listen to the debate, they will be supportive of this bill for the right reasons: that each of us, very young and very old, deserves to have the safest drinking water in the world. I think you've got to listen to this bill and support it. It's the right thing to do.

**The Deputy Speaker:** The floor is open for further debate.

**Mr Duncan:** Before I begin my remarks, may I indicate that I'll be sharing my time with the member for Algoma-Manitoulin.

Let me begin by just reminding the member for Durham about Justice O'Connor. It's good to see the government quoting so extensively from him, because you and your government stonewalled even having that commission in the first instance. I remember him heckling the opposition in this House at the time we were pushing for it. Had we not pushed for it, these recommendations would never have been brought forward. When one starts tossing those kinds of misquotes back at this side of the House, one ought to reflect on what's been said in the past. The member for Durham and the government of which he is a part resisted for, I believe, almost a week the appointment of an inquiry in any event to look into the tragedy at Walkerton. The Hansard record fully reflects that.

I want to talk briefly about the bill. First of all, we will oppose this bill unless it's amended. As House leader, let me say to the government that we hope to have the opportunity to have hearings on this bill so that we can put amendments to try to make the bill a better bill that will be more acceptable so that, hopefully, we can vote for it if the amendments are adopted by the Legislature eventually.

1720

We support the principle of full cost accounting for our water and sewer systems. My colleague from Prince Edward-Hastings acknowledged that a moment ago, contrary to what the member for Durham said. We also believe that after the tragedy in Walkerton, consumers of water in Ontario are prepared to pay the full cost of water. We have to be careful that we set up the system in a way that allocates those costs fairly and shares them in a way that doesn't prejudice one part of the province or another, or rural and small areas versus larger areas.

Consequently, we see the need for some amendments to this bill. If the government is serious in its intention to bring forward good legislation, they'll do what they did in the case of the Walkerton inquiry in the first instance, and that is to listen to the recommendations of the opposition, and the first is to send this to committee.

We will be requesting amendments in the following areas: (1) that we prohibit municipalities from selling off their water and sewer systems to the private sector—it's not entirely clear to us in this bill that there is any provision for that at all; (2) that we provide some form of financial support for water and sewer infrastructure for smaller communities; and (3) we want to ensure that higher water rates do not become a burden to low-income families and seniors.

This is especially appropriate today. Most people began receiving this month's hydro bills late last week. The phones in my office have been going quite steadily. I recall in the debate around deregulation and privatization of hydro that the consumer would be protected, that this would not bring about higher rates. As of last week, and again not until the leader of my party, Dalton McGuinty, and our energy critic, Michael Bryant, raised the issue, we've discovered to our amazement that this government was trying to back off on the rebate it had promised. After a little bit of pressure, the government now again apparently has flip-flopped, changed their mind, and they're going to insist on this rebate.

I don't even want to start into a discussion about Union Gas tonight, it's not appropriate to this bill, but let me say that as of about an hour ago I have received in excess of 5,000 electronic letters from Union Gas consumers with respect to retroactive price increases that have been forced upon them by the Ontario Energy Board and the Ernie Eves government.

This bill lays out a framework for the implementation of full cost accounting and asset management for municipal water-sewer systems, and it does form part of the response to Walkerton, and I think it is important. Colleagues opposite mentioned Justice O'Connor's support of the predecessor bill to this, Bill 155. He does say quite clearly at page 299 in part two of the report, "The requirements for a full cost report and cost recovery plan, as generally expressed in the proposed act, are ... appropriate." What my colleagues opposite forgot to tell you, didn't mention, was what Justice O'Connor went on to say on page 299: that he believes "the regulations ... will be critical" to this legislation.

Let me take a moment, on that basis, to talk about the regulations, and again what's silent in this bill; that is, what we basically have to surrender to the government after the legislation is passed, with no opportunity for meaningful public input. First of all, the definition of "water services providers"—there are thousands of small-scale water providers, things like trailer camps, summer resorts, communal water systems, but it appears likely that those entities will be exempt from the act. In addition, there's a concern that private water companies will be included under the definition, which in effect would open the door for greater involvement by the private sector in drinking water systems. Defining what the full costs are that must be recovered—that is silent in the legislation—will be determined in regulation. Before we would be comfortable in supporting this bill or any other bill, we would have to be satisfied of that.



Then, establishing the contents of municipal reports and plans: again, Justice O'Connor called for these. Now it's important that we set them up in the way he intended or envisioned that they be set up. We have not been satisfied with respect to that issue. And then finally setting deadlines and time frames for compliance.

In the remaining moments I have I did want to speak about the importance of the public-private issue in delivering clean drinking water because the Minister of Transportation was in here saying, "Oh, it was publicly owned when Walkerton happened," but I want to remind him what Justice O'Connor said about this crucial issue. He supports the position that we're advocating; that is, that the private sector can have a role in the operation and management of water systems but that ownership of the systems must remain public.

What he said is, "In not recommending the sale of municipal water systems to the private sector, my conclusion is based on several considerations: the essentially local character of water services"—and this again relates back to what we've talked about in terms of the potentially harmful effects this could have on our smaller and rural municipalities—"the natural monopoly characteristics of the water industry"—not unlike, I might say, Union Gas and the delivery of natural gas products in this province, and we have seen over the course of the last two weeks what can happen when this industry is not properly regulated. The third point he makes is "the importance of maintaining accountability to local residents." Accountability was part of the reason why Walkerton fell apart. I acknowledge there was a lack of accountability on the part of the local people, but there was also a clear lack of accountability here at Queen's Park and in the government. And finally Justice O'Connor references the "historical role of municipalities in this field." That in my view is not the most compelling, but I do believe he laid out a compelling case for blocking the privatization of the sale of our water services.

In conclusion, we believe the bill is flawed. I've cited three areas we'd like to bring forward amendments on. Those amendments can only be brought forward in committee or committee of the whole. As House leader, I make representation to the government now that we would like to have this bill in committee and we would like to have the opportunity to amend it and discuss those amendments in committee so that hopefully we could bring back a bill from committee that this party could endorse.

With that, I'll yield the floor to my colleague from Algoma-Manitoulin.

**Mr Michael A. Brown (Algoma-Manitoulin):** I am pleased to have the opportunity this afternoon to speak to this bill. Probably over the last two to three years there has been no issue that has affected my constituency, and particularly the municipalities within the riding, more than the issue of clean, safe water. That is because critical mass is something that we in Algoma-Manitoulin don't have. It doesn't exist. We have small water sys-

tems, small municipal water systems and small water systems within unincorporated areas that are operated that have no critical mass. And while we're talking about this, I guess one of our main concerns in Algoma-Manitoulin is to understand how small water systems are to be able to afford the full cost accounting. We know on the capital side that it has been inadequate. The government has come forward with various programs but they don't approach programs that even this government was delivering some two years ago.

I remind my constituents of the upgrading of the facilities in the township of Sable-Spanish, particularly in the old town of Massey. In that particular instance, the community received almost 90% of the capital costs of upgrading that water system. We're very thankful for that, and we're very thankful to the provincial treasury. That does not happen any more. The maximum capital available to small municipalities from the province of Ontario appears to be now, in my part of the world, 50%, which is considerably different than the former 90% available to those very, very small municipalities that I represent. That means full cost accounting to new upgrades will mean substantially more money. We are fortunate in that the federal government has provided, for the first time the history of Ontario, a further grant of about one third. But it still falls below what was formerly offered by the province, and I think members should understand that.

**1730**

I think they should also understand that in some of my very small water systems—I look, for example, at Peace Tree, which is almost across from my office in Heyden. Each consumer in that very small water system is paying \$25 a month for testing. That doesn't get you any water; it doesn't get you any clean water. It gets you nothing but the testing. I'm told they're going to be required to spend \$300,000 to \$400,000 to upgrade that very small system. Without some significant assistance, I don't know how that's going to happen.

I've looked at the municipalities within my constituency that are all in this situation. We have Michipicoten. Wawa, the township where the goose sits proudly at the edge of the highway, is looking at \$6 million or \$7 million of upgrades in their municipality. The township of White River is looking at a very significant bill. Gore Bay is looking at a large number of dollars. The town of Bruce Mines, which by the way has now been boiling water for two years, is looking at a significant expenditure. Thessalon, Assiginack and quite a number of others are looking at large expenditures.

When you start talking about full costs, the operators of those very small systems are very concerned. And that's not even to take issue with the 2,500 private water systems that exist across northern Ontario—2,500 small, private systems. Within that there are mobile home parks with literally hundreds of residents. Those private owners cannot afford to upgrade their water systems to the standards required by this bill; obviously they should. If these trailer parks close, there will be no place for these

people to live. I have two or three of those very close to my constituency office, and they are now facing hydro bills that have doubled—I say again—doubled since deregulation occurred.

If you speak to the people of the former Great Lakes Power Co service area about electrical bills, you're going to find people scratching their heads about how some of this deregulation works. As we all know in this House, Great Lakes Power is a private company and has always been a private company. That private company has provided the wires, the transformers and the generation plants to provide electricity in the area of Algoma and Sault Ste Marie for decades. Presumably, they have always made a profit doing it.

We know that the cost to the customers of Great Lakes Power has always been less than it has been in surrounding areas served by Hydro One. So we have a private company providing a service at 10% or 15% lower than its public competitor in the Hydro One area. With deregulation, Great Lakes Power, the private company, is now more expensive than Hydro One.

I'm having a hard time believing that any government could deregulate a private company into a position where they have seen a doubling of their revenues to provide exactly the same thing. I am very concerned that with water services we are going to see exactly the same sort of incredible increases in the price of water. We're seeing it in the price of electricity; we probably will be seeing it in the price of water.

My very small community of Kagawong—up until very recently, my bill at home for having municipal water service was \$150 a year. That was very reasonable, I would guess. I think most of you would say that. Two years ago it doubled, to \$300. Still, it's a very good price or value, I would suggest. This year I have had to write a cheque, as did all the other customers of the municipality's water system, of an additional \$150 to pay for repairs that were made last year and the year before. I see by the paper that we are facing, in that particular water system, which serves about 100 customers, about \$450,000 of additional expenditure to bring the system up to standard. Clearly, we want that to happen. The issue is, how much will we have to pay to operate that system over time, and is it affordable?

I want to bring to members' attention what Mr Justice O'Connor has said in his report of the Walkerton inquiry. Mr Justice O'Connor says, "The challenge lies not in making small systems safe; technically, this is rarely difficult. Rather, the challenge lies in doing so affordably. ... I make recommendations regarding the minimum safe operating requirements for three categories of small systems and point to some ways in which technology and good management can keep costs to a reasonable level." But he goes on to say that it is incumbent upon the province of Ontario to make sure that these smaller systems are affordable.

I think in the area I represent, we are quickly coming to the point where it is unaffordable. When you look at electricity rates; when you look at the increases in

property taxes across much of the area of 15% to 20% this year; when you look at fees for water systems that are doubling or tripling; when you look at the cost of heating oil, of replacing oil tanks; when you look at the costs that are being burdened upon the small, rural Ontarian, what you are finding is that we cannot afford to live in our part of the world any more. We have senior citizens, people on fixed incomes. We have farmers with electrical bills doubling. If you're a dairy farmer, that is a real problem.

**Mr John C. Cleary (Stormont-Dundas-Charlottenburgh):** More than doubled.

**Mr Brown:** More than doubled, my friend from Cornwall says. It's just one more attack on rural Ontario, on northern Ontario.

So I'm very concerned that in the title of this bill, when it says "full costs," what they really are saying is, "more costs, less value," and that this government intends to again download on northern people.

**The Deputy Speaker:** Members now have up to two minutes for questions, comments.

**Mr Prue:** I listened to the two speakers, one on television and one in person, and would commend them for what they had to say.

Dealing with the issue of privatization, I think much has been said on this side of the House on the trepidation that people feel about privatization and what it involves and costs going up, and the fact that one does not really feel safe with a private company, no matter how well regulated, knowing full well they are in business to make a profit and may cut corners in order to do so.

The real issue here for the government, I would suggest, is that we need to ensure that those municipalities which are financially capable of doing so implement a full cost recovery scheme. Full cost recovery will ensure that the actual cost of delivering the water and treating it at the end is made so that the water does not become a free commodity but in fact people pay for the value of that which they use. It will encourage conservation.

**1740**

I can only speak back to my mayoral days in East York. We had full cost recovery. We insisted that people pay the full cost for every drop of water that came from the taps. In fact, our municipality, of the six in Metropolitan Toronto, as it then was, had the highest water rate. We were unabashedly proud of charging that, although some of our ratepayers from time to time would complain they could get cheaper water if they lived in Scarborough or in Toronto. We assured them that we would repair the pipes and make sure that the water remained safe. I think that is what's necessary for the overwhelming majority. For small towns, I do agree with the member for Algoma-Manitoulin: they are going to need assistance. We cannot depopulate the north; we cannot depopulate rural areas. Something is going to have to be done to ensure that those towns have affordable water as they implement full cost recovery.

**Mr Ted Arnott (Waterloo-Wellington):** I would like to compliment the member for Algoma-Manitoulin for



the constructive tone that he brought to this debate. He highlighted a number of very important issues in his constituency. I represent a rural constituency, as he does, with many small towns with serious water problems as well. I think the views that he brought forward this afternoon were very helpful in the context of this overall debate.

**Mr Pat Hoy (Chatham-Kent Essex):** I'm pleased to make comments and congratulate the members for Windsor-St Clair and Algoma-Manitoulin on the fine points they made in the debate this afternoon on Bill 175.

I agree with both of the speakers that hearings should be held on an issue as significant as water in Ontario today after the happenings that we've witnessed over the past many months: tragedy, the lack of funding and putting people's lives at risk.

I want to pick up on the comment made about the cost of water, in particular as it applies to rural Ontario. My riding has a significant portion of rural situations and I know and hear constantly from citizens about the cost of water as it applies to residential usage and, of course, small businesses. Small businesses have told me that in situations where municipal water is being brought to their area currently, the cost is prohibitive. Some have said that they are going to close completely.

I don't have time to discuss in total the issue of rural water wells and how it applies to multiple users, but therein lies part of the problem. Those residents have come to me and asked, "Why doesn't the government help us in this situation of funding?" They say, "What happened to the water protection fund?" of sometime back in 1997. What happened to that water protection fund? It seemed to dry up. It disappeared.

I wrote to successive ministers and asked them to help in particular rural Ontario but certainly all persons who were requiring assistance in terms of water.

It seems today that the government has totally mismanaged the issues surrounding hydro, natural gas, water and, as I heard this weekend, the use of gasoline. Gasoline prices have also skyrocketed in Ontario.

**Mr Chudleigh:** It's always a pleasure to listen to the member for Algoma-Manitoulin, who is a great constituency representative of those wonderful people in that North Channel area. It's certainly one of the most beautiful places in Ontario and a place with a tremendous amount of good, clean, pure water, something that is increasingly rare in this world. Transferring that wonderful situation that you have there to the rest of Ontario would be a wonderful thing for any government to pursue. That's exactly what this government is pursuing: to ensure that the rest of the people in Ontario have exactly the same quality of water that those people in the north have.

The member for Windsor-St Clair talked about the doom and gloom that this bill is going to bring forth. Personally I don't know how you can expect to have high-quality water now or in the future unless you have complete cost recovery of the systems that you put in the ground, because without that cost recovery you can't

afford to replace it; you can't afford to keep it up; you can't afford to put the kinds of resources into it that it needs in order to operate at peak efficiency.

That's what this bill does. It makes all kinds of sense to me to have this kind of system in place so that we can all enjoy the kind of pure quality of water that the people in Algoma-Manitoulin take for granted, as well they should. It's a beautiful part of the country.

**The Deputy Speaker:** The member for Algoma-Manitoulin has up to two minutes to respond.

**Mr Brown:** I'd like to thank the members from Halton, Waterloo-Wellington, Chatham-Kent-Essex and Beaches-East York for their constructive comments.

I would just tell the member from Halton that of course I also represent about half of the Lake Superior shoreline. It is at least as incredible, if not more so, than the North Channel area. We do have lots of water, and that's why we're very concerned about this issue.

My colleague from Chatham-Kent-Essex pointed to the need for amendments to this act before we could support it. I want to suggest here and now that we need more than that. I have seen what has happened to the electricity regime in this province, the unbelievable doubling of prices under the regulatory framework that has been put forward—

**Hon Jim Wilson (Minister of Northern Development and Mines):** Because we had to buy most of it in the summer.

**Mr Brown:** Oh, you've got a lot to say, Minister of Northern Development, with mills in this province paying 110% more than they did before you messed this thing up.

What we need to see is the regulations that go with this bill. There were governments that provided the regulations before this House was asked to give a bill third reading. There were governments that did decide to go to committee after second reading, provide the regulations to the members because often the devil is in the details. We've seen that with bill after bill and the execution of those pieces of legislation and the effects on the people of Ontario. This bill has sat on the order paper for some time under a different number and under a different minister, but essentially it's the same bill. Bring forward not only some productive amendments; show us the regulations. Show us what you really have in mind.

**The Deputy Speaker:** The floor is now open for further debate.

**Mr Chudleigh:** I'm pleased to take part in this debate on Bill 175, the Sustainable Water and Sewage Systems Act. This issue is of the utmost importance as we look forward to a future of clean water and sustainable infrastructure in this great province of Ontario.

The proposed bill will continue the purposeful and determined action this government has taken since the summer of 2000. It clearly shows we are committed to sparing no effort so that the residents of Ontario have access to clean, safe drinking water now and in the future. As you have heard time and again, safe drinking water is a non-negotiable priority for this government.

We will be relentless in its pursuit and vigilant in its protection.

If passed into law, the Sustainable Water and Sewage Systems Act will set another benchmark and provide an even stronger foundation for safe drinking water. It makes for good planning, promotes water conservation and is an integral part of this government's clean water strategy.

Commissioner O'Connor was supportive of full cost pricing and full cost recovery. To quote the commissioner directly, he said, "In my opinion, if passed into law, the act will address many of the important issues concerning the financing of water systems. The requirements for a full-cost report and cost-recovery plan as generally expressed in the proposed act are, in my view, appropriate."

In his report, Commissioner O'Connor made far-reaching recommendations. As members of this House know, we fully support the recommendations and are moving forward to implement every single one of them. While we will not carry on with our comprehensive consultation process, we will continue to meet with our key stakeholders to help review the proposed legislation and to seek their input in making the legislation fair but very firm.

Legislating full cost accounting and recovery for municipal water and sewage services through the proposed bill is one of the best ways to protect public health and our environment. It provides us with an accurate picture and an effective method of identifying all of the operational and capital costs that are associated with water and sewage services.

1750

In his report, Commissioner O'Connor supported the need for municipalities to ensure that their water systems are adequately financed. He said that in the long run our safety depends on "stable and adequate financing to maintain a water system's infrastructure and its operational capacity to supply high-quality water consistently." A broader issue, however, to relate to the subject of infrastructure financing and cost recovery is the principle of municipal accountability.

In the new Municipal Act, now about a year old, municipalities were given increased flexibility. But a strong accountability framework has also been put in place to balance that increased flexibility. On behalf of taxpayers, our goal should always be to provide the best service and clear accountability. One way to help ensure this is through the use of performance measurements.

The municipal performance measurement program requires all municipalities to collect data and measure their performance on 35 specific measures that fall within nine core municipal service areas. The data is then included in the municipality's financial information return. As of September 2001, they have been required to report to the public on 16 of those measures.

A provision in the proposed act would require municipalities to report to taxpayers annually on any service delivery improvements and any identified barriers to

improving service delivery. The concept of full cost accounting and recovery as set out in the proposed act is also consistent with municipal accountability for budget processes. Better communications, increased awareness and more consistent financial and full cost accounting processes will strengthen a municipality's position in terms of knowing exactly where they stand today. They will know the real cost of their water and sewer services. It will allow them to take a proactive view and adopt a more integrated and holistic approach to environmental protection.

If passed, the Sustainable Water and Sewage Systems Act will make it mandatory for municipalities to assess and cost-recover the full amount of water and sewer services. It will ensure that water and sewer services generate sufficient revenues to fully recover all their long-term operating and capital costs. The proposed act would be implemented in two stages. The first stage would involve assessing the full cost of water and sewage services in each municipality. The second stage would involve bringing full cost recovery forward in a way that makes sense for that municipality.

The concept of full cost recovery is not new to municipalities. They have been able to apply full cost recovery in the past if they wished. In fact, some municipalities implemented this to varying degrees. The trouble is that even though some municipalities may be recovering full costs, they don't know the extent to which they are recovering all their long-term investment needs. That is precisely what this proposed act will address: future sustainability. The proposed act will give us the full picture of what it costs municipalities to provide water and waste water services by requiring municipalities to do cost accounting according to a regulated standard.

The reality is that most municipalities do not have a handle on the long-term costs of maintaining their water and sewer systems. This often leads to under-investment in these systems, because much of the infrastructure is below ground. The problem is further perpetuated by deferred maintenance and over-consumption by users. Failing infrastructure puts public health at risk. We cannot abide that in this province, and the proposed bill will make health and clean water priorities.

One more recent step this government has taken to protect drinking water was to enact legislation that would govern how certain nutrients are handled on farms across this province. This House will recall the passage of the Nutrient Management Act, which was given royal assent this past June. It is aimed at providing the best possible protection for the environment while ensuring the continued viability of farming. The act will help manage the use of all the different types of nutrients, including livestock manure, pulp and paper sludge and municipal biosolids to prevent environmental and health impacts.

The land application of materials containing nutrients is governed by an array of legislation and regulatory provisions. Some are guidelines, others are voluntary best management practices and then there is a patchwork of municipal bylaws. Regulations developed and imple-



mented under the Nutrient Management Act will address this.

In the May 2002 throne speech it was stated, "Like Ontario's farmers, your government understands that protecting the environment is vital to the future of the family farm. It remains committed to the nutrient management bill, which would protect the environment by setting and enforcing clear, consistent standards for nutrient management on farms."

The Nutrient Management Act was enacted because the time had come for clear, consistent standards that apply province-wide, standards that will relieve the current burden upon municipalities to enter areas where often they lack the proper expertise, standards that will protect the environment and be of benefit to all of us in this province. The act responds to the needs that were identified by farmers, municipalities, environmental groups and others during many consultations over the past two years. The Nutrient Management Act sets out the framework for setting regulations that are specific to different types of nutrients. We are consulting with all stakeholders to develop clear, consistent and stringent standards. These standards will enhance protection of the natural environment while providing a sustainable future for agricultural operations and rural development. The standards being developed under the act will be consistent with Commissioner O'Connor's recommendations. The government's nutrient management strategy will form a significant part of the water protection system envisioned by Commissioner O'Connor.

The Ministry of the Environment will enforce all new standards developed under the act. Dedicated provincial officers will be specifically trained in both environmental and agricultural compliance issues. Most farmers are already excellent stewards and good neighbours of the environment. The Nutrient Management Act provides the framework for making their best practices mandatory and enforceable across Ontario. The Nutrient Management Act also addresses the issues and risks identified in the Environmental Commissioner's special report of July 2000. The report, called *The Protection of Ontario's Groundwater and Intensive Farming*, aligns with the O'Connor report and builds on the government's Smart Growth strategy. Smart Growth is the government's overarching vision for promoting and planning for the growth that we're expecting over the next 20 and 30 years. It's a vision for creating strong economies, building vibrant communities and promoting a healthy environment, and it's as relevant to rural areas and small-town Ontario as it is to the urban centres.

Nutrient management is an important part of our comprehensive strategy to protect groundwater sources. This strategy will also include investments to ensure that municipalities have the information they need to make sound decisions regarding the protection of their groundwater resources. To date, our government has provided local government with over \$14 million to conduct groundwater studies, the largest investment in groundwater source protection in the province's history. A further \$5 million will be provided this year to municipal stakeholders to undertake further work on source protection.

In addition, the government launched the \$6-million provincial groundwater monitoring network in co-operation with Conservation Ontario. Its member authorities and municipalities across the province will provide groundwater quality and quantity monitoring in 38 conservation authorities. To date, over 175 monitoring wells have been installed, and the system is expected to be complete by March 2003.

Furthermore, the government introduced the first conservation-based water-taking regulations in the country on April 30, 1999. This prevents the transfer of water from Ontario's major water basins and ensures conservation issues are thoroughly addressed when reviewing applications for water taking. It is evident that we are more committed than ever, and we are gaining energy with every new announcement. We look forward to implementing Commissioner O'Connor's recommendations on full cost accounting and recovery.

Cleaning up our environment and protecting our valuable sources of drinking water is a non-partisan issue. We must all put aside our political differences in the name of public health. This government understands that issues get resolved not by political wrangling but by consulting with our municipal partners, community leaders, industry and the public at large. We owe it all to—

**The Deputy Speaker:** Order, please. I'm sorry to interrupt but I'll have to—

*Interjection.*

**The Deputy Speaker:** Were you done?

**Mr Chudleigh:** No.

**The Deputy Speaker:** I didn't think so. I have to interrupt, though, because it is now 6 o'clock and therefore this House will stand adjourned until 6:45 this evening.

*The House adjourned at 1800.*

*Evening meeting reported in volume B.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Algoma-Manitoulin	Brown, Michael A. (L)	Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Haliburton-Victoria-Brock	<b>Hodgson, Hon / L'hon Chris</b> (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)		
Beaches-East York	Prue, Michael (ND)	Halton	Chudleigh, Ted (PC)
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	Levac, Dave (L)	Hastings-Frontenac- Lennox and Addington	Dombrowsky, Leona (L)
Brant	Murdoch, Bill (PC)	Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
Bruce-Grey-Owen Sound	Jackson, Cameron (PC)		
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Cambridge	Hoy, Pat (L)		Gerretsen, John (L)
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Prince Edward-Hastings Renfrew-Nipissing- Pembroke Simia-Lambton Sault Ste Marie	Di Cocco, Caroline (L) Martin, Tony (ND)		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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## Legislative Assembly of Ontario

Third Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Troisième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 7 October 2002

Lundi 7 octobre 2002



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

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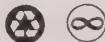
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 7 October 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 7 octobre 2002

*The House met at 1845.*

### ORDERS OF THE DAY

#### MUNICIPAL STATUTE LAW AMENDMENT ACT, 2002

#### LOI DE 2002 MODIFIANT DES LOIS EN CE QUI A TRAIT AUX MUNICIPALITÉS

Resuming the debate adjourned on October 2, 2002, on the motion for second reading of Bill 177, An Act to amend the Municipal Act, 2001, the Municipal Elections Act, 1996 and other Acts consequential to or related to the enactment of the Municipal Act, 2001 and to revise the Territorial Division Act / Projet de loi 177, Loi modifiant la Loi de 2001 sur les municipalités, la Loi de 1996 sur les élections municipales et d'autres lois par suite de l'édiction de la Loi de 2001 sur les municipalités et révisant la Loi sur la division territoriale.

**The Deputy Speaker (Mr David Christopherson):** The floor is open for debate. I've got two of you standing; one of you needs to sit down. OK, there we go. The member for Etobicoke-Lakeshore now has the floor.

**Mr Morley Kells (Etobicoke-Lakeshore):** I am pleased to speak this evening on Bill 177, the Municipal Statute Law Amendment Act, 2002. As the members know, a large part of this bill deals with municipal and school board elections.

The current Municipal Elections Act was completely rewritten in 1996. Before that time, the act told clerks exactly how to run an election, right down to the circle that had to appear to the right of the candidates' names on the ballot. This left no room for innovation; no room for an election that didn't involve paper ballots, for example. The clerks responsible for the elections and others interested in municipal and school board elections wanted more flexibility. They wanted a system that would work in today's world without compromising the integrity of the process. That's what the new Municipal Elections Act gave them in 1996: a new, modern act that would allow for new ways of voting, such as mail-in and touch-screen.

The municipal election scheduled for November 10, 2003, will be the third under this new act. Generally, after each municipal election, staff at the Ministry of Municipal Affairs and Housing examine how well the

election process worked and look for areas that need to be improved.

For the most part, the current Municipal Elections Act is working well. A review of the past two elections as well as consultations with stakeholders like AMO and others have indicated that certain changes would result in an even more efficient and accountable municipal electoral process. The bill proposes a number of administrative and technical amendments to strengthen three overall areas: election administration, eligibility to vote and run, and election finances.

Amendments related to the administration of local elections are, for the most part, fairly minor. For example, we have proposed that the time between nomination day and election day be extended from 31 to 45 days. Last week, the member for Beaches-East York questioned the need to do this, pointing to our 28-day provincial election period.

I would like to point out that, with the advent of alternative voting, in particular vote-by-mail, more time is needed to prepare, distribute and return ballots. The current 31-day period has, in some cases, not provided enough time to properly administer a local election in which alternative voting is used. These additional time requirements do not exist in provincial elections.

It is also important to emphasize that this is not extending the campaign period by two weeks. Individuals can campaign as soon as they are nominated, which can be as early as January 1 in an election year.

Another amendment requires that certain places, such as apartment buildings, provide polling places free of charge. This is not a change in policy as these places have always been required to provide space free of charge if requested by the municipality. What we have found, though, is that in some municipalities landlords have been charging for things like heating and lighting. That is certainly not what the government intended. Bill 177 clarifies that "free of charge" means free of all charges.

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Also related to polling places, we have proposed that condominium buildings with more than 100 units be required when asked by the municipality to provide a space for a polling place. Currently, this requirement only applies to apartment buildings with more than 100 units. There is no reason why these buildings should be subject to different requirements in this instance.

A third administration change relates to the clerk's ability to control the posting of campaign materials

around polling stations. As the law stands now, campaign materials cannot be displayed in a polling place. Some candidates have been pushing the limits by putting campaign material up on the outside walls of the building where voting is taking place. We are proposing a change in Bill 177 that would allow the clerk to designate the area surrounding the polling place where the display of campaign material would be prohibited. This was requested by the city of Toronto and supported by the Association of Municipal Managers, Clerks and Treasurers of Ontario.

Some of the other changes proposed in Bill 177 relate to the rules about eligibility to vote or to be a candidate in local elections. Let me speak for just a minute about the proposed change related to time-share owners and their eligibility to vote.

Traditionally, voter eligibility rules have been designed to ensure that people with a significant stake in a community have a say in the government of that community. People who have a significant stake in a community have generally been considered to be people who live there or own or rent property in the community. Since eligibility for other voters is determined on election day, this act proposes to allow the owner who is eligible to occupy the unit on election day to vote. It sounds a little confusing, but it's pretty straightforward.

The new act would also allow anyone eligible to occupy a time-share unit for six or more weeks a year to vote. This would ensure that people with a significant interest in the property would be able to vote.

Bill 177 also includes a change in the definition of "owner or tenant." This is to ensure that non-resident commercial electors who have a lease in a building subdivided in more than one unit maintain their eligibility to vote.

Finally, a section of Bill 177 deals with municipal employees who wish to run for municipal office. The existing Municipal Elections Act requires municipal employees to take a leave of absence to run for municipal office. The proposed amendment would make it clear that an employee of a municipality must be on an unpaid leave of absence before being nominated to run for municipal office. In other words, an employee could not begin to campaign while carrying on with his or her municipal job. At the same time, the council would have to approve the leave of absence automatically as long as it occurred after January 1 in the year of an election. Right now, the leave does not have to be granted until nomination day. The proposed amendment would allow the candidate, not the incumbent council, to decide when his or her campaign will begin.

I'd like to turn now to another very important part of the municipal election process: campaign finances.

Bill 177 proposes several amendments intended to strengthen the municipal finance provisions of the current act. The most important include: a requirement that candidates keep their financial records for three years instead of the current 90 days; changes to the rules on

compliance audits; and more stringent penalties for candidates who file late financial returns.

I'll begin with the retention of financial records. The current act only requires that candidates keep their financial records for 90 days after the final filing. This could make it extremely difficult to properly investigate allegations that might arise against a candidate following the 90-day period. To facilitate a fair and full investigation, one of the amendments would require candidates to keep their records for three years after election day. I think I just said that too.

Another proposed change to strengthen election finances relates to compliance audits.

**Mr Rob Sampson (Mississauga Centre):** It's OK, Morley, you're making the point thoroughly.

**Mr Kells:** Good. Yes. The current law allows an elector to ask council for a compliance audit of a candidate. Council has to make the final decision, often putting councils in a difficult position. Municipalities have asked for the opportunity to transfer that decision-making authority to another local body.

As I said a moment ago, Bill 177 also proposes more stringent penalties for candidates who either fail to file their required campaign records or file them late. Most candidates file their financial records on time, but some haven't met the deadline. Currently, a candidate who does not file on time is supposed to be disqualified from office and ineligible to run in the next election. What actually happens, though, is that candidates always appeal to the courts, and the courts invariably allow them to file later without penalty. This diminishes the accountability of the election process by allowing candidates to avoid disclosure. Candidates would get plenty of notice of these new provisions. The proposed legislation would require the clerk to inform nominated candidates for any office governed by the act of the potential penalties for failing to file on time.

The integrity of the election process is the foundation of any democratic system. I wish I had said that once. The changes we are proposing in Bill 177 will reinforce and enhance the integrity of the municipal and school board election process. They will also improve the efficiency of the process and give clerks more flexibility to take advantage of new and innovative ways to make elections more accessible to more voters. These proposed changes are based on the experience of the past two local elections and reflect the advice we have received from municipalities.

I encourage my colleagues to support this legislation. Thank you for your attention.

**The Deputy Speaker:** Questions, comments? Hearing none, the floor is open for further debate.

**Mr James J. Bradley (St Catharines):** As I rise in the Legislature tonight, I think my own city council in St Catharines is dealing with an issue that I'm sure every resident of St Catharines is very much concerned with, and that is governance. I know how they're probably getting e-mails, telephone calls, letters and so on about the issue of governance. Somehow I don't think that's the case, but nevertheless there we are.



I've looked at this bill and there's one aspect of it I have some problem with. As members of this House will know, I have been a long-time advocate of removing the influence of money from politics as much as possible. Those who are incumbents have a bit of an advantage in that regard. I'm an incumbent, so even provincially I would have some advantage over a person who would not be an incumbent, and that is certainly the case in municipal politics. I do not like a situation where someone is able, with a ballot with so many names on it, to generate enough publicity, just through name recognition, that that person is able to be elected. So I personally have a concern, not necessarily all of my colleagues, about raising the election expense limits from 50 cents per voter to 70 cents per voter. That is a substantial increase, in my view. I believe that for democracy to function well, money should play a minimal role in the democratic process.

I have looked at a leadership race that has just taken place in the governing party—and this is not exclusive to the governing party by any means but it's the most recent one I see—and I see a huge, \$3-million campaign to elect the present Premier to the position of leader of the Conservative Party. Federally, there's going to be one for the Liberal Party. There's one for the New Democratic Party. The Alliance has gone through it. Federally, the Conservative Party is going to go through it.

I think a situation where money plays as little a role as possible is an important one. If one candidate has a lot of money to spend and a higher spending limit, as this bill calls for, that gives that candidate, I think particularly in municipal politics, a greater advantage. Some of us here have been in municipal politics and have witnessed some of that, where people who simply have a lot of money to spend are able to produce signs, are able to advertise on the radio and put major ads in newspapers, are perhaps even able to have television advertising, although that's very expensive, while another candidate is unable to do so, usually a candidate with a lower personal income and not with the financial resources to continue.

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The Minister of the Environment needs first aid at the present time; the minister is nodding in agreement with me or nodding off, one of the two. But I want to generate his interest in this, because I have seen examples within the regional municipality of Niagara, where there have been candidates who were not particularly well-known—nobody knew that much about them—but who had a lot of money to spend and therefore were able to generate enough publicity to be elected, while others who may have been higher-quality candidates were unable to be elected because they didn't have the financial resources.

Just as I opposed the raising of spending limits in the Legislative Assembly when we had a bill before this assembly—I raised that particular issue, and I opposed that—I oppose it in this particular case. I happen to think that the increased limits we have for provincial elections are not healthy for the system. The exemption of something called polling, which has a wide definition—a

total exemption from the process—is not helpful to the process, and I think a higher limit for people to be able to give contributions is not healthy for the process.

South of the border we see the corrosive effect of money. In this House we've had questions directed to the government concerning the possibility—and I put that out only as a possibility—of donations to leadership campaigns perhaps influencing a government decision. That's something that somebody else, a more objective observer than those of us who are here, will have to decide. But when I see that, I often wonder about the local level.

Again the member for Etobicoke Centre, the Minister of the Environment and government House leader, and the former Minister of Energy—I remember him even better when he had all three, because he was up in the House more often—would recognize that possibility as well. You see, in provincial and federal politics, if you want to put it in the crassest sense, you'd have to have a lot of money to buy a whole government or a political party. You'd have to have a lot of money for that. In municipal politics, if you're dealing with one person who has an independent vote on any particular issue, the influence of money can be even more corrosive than at the federal and provincial levels, although I think it is at all three levels. So I focus on that part of the bill.

As I say, not all of my colleagues on any side of the House may necessarily agree, and to be fair to the people, for instance, in Metropolitan Toronto, as I used to call it—now the city of Toronto—you would probably require more money to run a campaign. But in Stayner, Ontario, I suspect you wouldn't need that kind of money, and a person who spent that kind of money might have a distinct advantage over others.

This doubles the filing fee to run for mayor from \$100 to \$200. What this does is exclude some candidates of modest means from running for the position of mayor. I know some people in this House sometimes think they are fringe candidates—a fringe candidate can generate this money. But I'm going to tell you that in politics there may be a lot of people who are extremely wealthy who might be on what we would call the fringe. This makes it unequal for them.

This makes a lot of people happy. This makes the people who run elections on a technical basis happy. The municipal clerks, for whom I have a great deal of respect, and who do a wonderful job of running elections—a lot of the provisions here will make them happy, or happier. It will make some members of municipal councils and municipal candidates happy.

Doubling the filing fee for mayor from \$100 to \$200 may not be that onerous, and I don't think it's the kind of thing that will make those of us in the official opposition vote against the bill. But may I offer a caution to the government that this is moving in the wrong direction, toward inclusion in democracy, as opposed to exclusion, because of money. There well might be a very capable candidate of very modest means who could not afford that \$200 deposit that must be made. We don't want to exclude those people, colourful people, from being part of the system.

I've noticed that candidates now must file their nomination papers two weeks earlier—31 days to 45 days before the election. What this means is that there may be candidates out there who say, "Look, there are a couple of rich people running in this ward and therefore I may not choose to run." But if perhaps—

*Interjection.*

**Mr Bradley:** The Minister of the Environment doesn't seem to believe this. Perhaps if they saw near the last minute that they had a chance, and were of modest means, they might enter the race. This is more convenient, I understand. The Minister of Municipal Affairs was kind enough to share with me the reason for this provision. The way he explained it, it sounded pretty convincing. Again I want to say that filing that far ahead will mean that candidates who want to give it extra consideration, who want to see who is in the race, and if they didn't have a chance at all wouldn't enter the race, are going to be forced to file somewhat ahead. I think that may just discourage some people. I think the Minister of the Environment agrees with me in this regard.

The Legislature passed Bill 111, as you all remember, changes to the Municipal Act, in December 2002. We opposed that particular bill because we believed that it was only a very timid first step in providing our municipal governments with the powers and resources they need to serve their communities. So now there are going to be some key changes made to the Municipal Act, and they may have some value, allowing municipalities and school boards to expropriate property if another municipality or school board, with OMB approval, was one of those provisions.

But when I look at this bill coming forward—it's a relatively routine bill, which is why we in the opposition believe the debate will not be prolonged—we're prepared to see this bill move somewhat expeditiously. The government has I think wisely made a decision, has caved in to the pressure of the official opposition House leader, to have some public hearings on this so that people can in committee look at this legislation, which is detailed in some ways, in a more thorough fashion.

You and I, Mr Speaker, would probably rather be dealing with, including two former Ministers of Energy, the issue of the skyrocketing hydro rates. We probably would prefer to be dealing with that this evening. If I were counting the telephone calls to my constituency office, there would be no calls on this bill but there would be hundreds of calls coming in to the constituency office, calls—

*Interjection.*

**Mr Bradley:** The member for Perth makes a good point when he says that the Family Responsibility Office is also occupying the time of our constituency assistants. There's a good reason for that. There's not a large enough staff in the Ministry of the Attorney General to deal adequately with the issues those people have. You have done one thing: you've sometimes brought feuding spouses together because both are angry with the Family Responsibility Office. That has to be straightened out

with more resources. The Minister of Municipal Affairs may help out by cautioning his colleagues about this, imploring them to put the necessary resources in the Family Responsibility Office so we don't have the chaotic situation that we face today.

But what the Speaker and I, and he comes from a riding similar to mine, and I suspect most people here, are hearing from our constituents now is that they are extremely angry, and with justification, at the size of the increase in their electrical bills this month and what they anticipate will happen next month. If we had legislation before us today providing for an immediate rebate for those people, individuals, businesses, farmers, people in a variety of fields, we would be in a much better position.

**1910**

The Speaker will say, "I wonder how this relates to this bill?" Well, the Speaker would know—and he was a municipal representative, as I was—that municipalities are going to face some huge increases in their electrical bills as well. They are all phoning me to say, "Why don't you call this government to account on this? Why don't you raise this daily in the House?" I say that I do, in debates such as this. I hope that the government is listening when we raise these kinds of issues because those municipalities are going to face these costs as well.

You know what else they will face? They will face increases in their natural gas bills. Insurance is skyrocketing for everybody, including municipalities. The cost of water, as a result of another bill in here, is going to go up. I think there is a general consensus in here that we should see much of that covered by the water bill itself, but we have to be able to help out those who cannot afford these increases that are constantly with us.

I would like to talk about ambulance dispatch service. That would be stretching it somewhat if I did that, but the people who are running under these new provisions in the bill will have to deal with the issue of ambulance dispatch, which you and I, Mr Speaker, and perhaps some of the other members of the House would agree is nothing short of chaotic and unsatisfactory. We in Niagara have experienced it. I believe you have experienced it in Hamilton as well. We've actually had deaths that have occurred in the Niagara Peninsula that people are saying are attributable to the lack of a response of an ambulance. That is because of the dispatching that is taking place; not the fault of the people working there, but the conditions under which they work are absolutely unacceptable. Those who will follow this legislation are people who are going to end up dealing with these kinds of issues.

We consider this—and we concede this to the minister, and I think this is the way this should work—as largely housekeeping legislation. That is why we are going to allow the bill, after my intervention this evening, to go to committee. We think that's important.

We need a provincial government that respects our democratically elected municipalities and school boards, not one that strips these bodies of their power and authority on a whim. Again, I think of places such as Toronto



and Hamilton and Ottawa where the locally elected board of education has been usurped by the provincial government. It has put these boards of education in a very unenviable position through underfunding from the provincial level, and now has taken over because those boards of education, in all good conscience, could not close all of the schools that will be needed and cut all the staff that would be needed to meet a so-called balanced budget. Again, that is a role that a municipal government plays.

Let me, in my last couple of minutes, refocus on the issue of election financing. Municipal politicians have a chance to make some decisions on significant issues that could make people rich. An example is rezoning, the redesignation of land under an official plan. These decisions are, within limitations, in the hands of local municipal politicians. If they have higher amounts of money to spend and are reliant upon donations from people, the ability to influence those individuals with increased financial resources is there.

In the United States Congress they finally passed a bill that was not particularly onerous on the present members of Congress, but at least that bill started to deal with campaign finance reform. This, to a certain extent, moves in the opposite direction. The good provision, I want to say because I want to be fair to the government, is penalties for those who do not file their financial statement within a sufficient period of time. I think that is useful. There has to be a meaningful penalty or some will simply ignore it.

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** How about those cardinals?

**Mr Bradley:** Many of them are disappearing in our part of the province because of the air quality that we have.

*Interjections.*

**Mr Bradley:** I'm glad the Minister of the Environment said, "What about those cardinals?" I know, as a result of his refusal to close those coal-fired plants, at a time when the member for Scarborough East would probably really like them closed, by waiting until 2015—although if I listen to the Minister of Energy, he just says that's a target, at least the minister hints that that's probably when they're going to close them down. That's why we have problems with cardinals and other birds and human beings influenced by this.

By the way, there's going to be a reception held by, may I call it, a bogus environmental group. Whenever you hear the term "citizens for responsible environment" or something, it's the anti-environment crowd. I want to warn you that not only will Ralph Klein be coming to Ontario with his bosom buddy, my good friend the Premier of the province, and no doubt the Minister of the Environment of Alberta, who was influential in having the Medical Officer of Health fired in southern Alberta because he dared to speak out against Kyoto—he'll be here and he'll want to meet with this Minister of the Environment—but Premier Klein and his bosom buddy Ernie Eves will want to meet and they'll all be fighting

against a bold and good environmental initiative, that being the Kyoto accord. I suspect that the member for Stoney Creek in his heart of hearts—he won't want to admit it among his friends here—is a person who probably supports the Kyoto accord. I don't even want him to nod or give any hint, but I suspect that's the case.

This is why I'm concerned about the provisions of this bill, how money can influence it. I suspect that the bill will go through. We hope it can be improved in committee. I thank the members for their kind attention.

*Interjection.*

**The Deputy Speaker:** Questions, comments? Hearing none, the floor is open for debate.

**Mr Gilles Bisson (Timmins-James Bay):** I was about to prolong that filibuster without realizing I didn't want to go there.

There are a couple of points that I want to make on the legislation. First of all, as many members in the assembly know, and maybe some of the members in the public, we in the NDP caucus have a number of issues that we want to bring this bill into committee for in order to address some of the issues we think need to be dealt with. My good friend and colleague Michael Prue from Beaches-East York had raised those, as our municipal affairs critic, when he first spoke on this bill I guess last week sometime. I just want to touch on two of them very quickly because I think they're interesting from the perspective of what the bill purports to do and how maybe we can make it a little bit better.

One of the amendments and one of the ideas in this bill is to lengthen the municipal election period from 30 to 45 days. We are told the reason for that is that the municipal clerks are saying, "We need an extra 15 days to deal with mail-in ballots. There's a whole bureaucracy of how to deal with mail-in ballots and, because of that, we have to lengthen the municipal election by 15 days." I just find it very passing strange that we can hold a national election, from coast to coast to coast in this country, in 37 days. Then, we can hold a provincial election across this great province of Ontario, all 103 ridings, we can put polling stations from Peawanuck to Windsor and we can do that in 28 days. But somehow we need to have 45 days to do a municipal election. It seems to me a little bit strange.

In this day, in this time of electronics and modern technologies, you would think we could run municipal elections in about the same amount of time it would take to run a provincial election. So I find it a little bit strange that we need to move from 30 to 45 days. One of the victims of going from 30 to 45—many of the candidates will now put their names forward and, if they happen to work in a municipal sector, will basically have to withdraw themselves from their employment for a period of 45 days to become candidates. As it is now, if I decide as a municipal employee of some type to throw my hat in the ring and run either as a mayor or councillor, I have the ability to do that under this legislation, but you go without a salary for 30 days from—I believe the period of the nomination is when it actually happens. That's a

fairly onerous thing for individuals to do, because many municipal employees can't afford to be off work for 30 days unless they happen to have the bucks in their pocket or somebody else does some fundraising for them to supplement the money they lose from their wages. That's tough enough, but now that we're going to 45 days, it's another two weeks that somebody has to go without a salary should they decide to run for public office.

**1920**

I think we need to amend the legislation in some way so we don't discourage municipal employees and other employees of municipal agencies who are affected by this legislation from making a decision to run because of that provision in the legislation. We want to bring forward an amendment, and we see it as a friendly amendment, to try to deal with that particular issue. Again I say it's passing strange that we can run a 28-day campaign in the province and we have to have 45 days for the municipalities.

There is one thing I like about municipal elections, and that is the set date for elections. Every three years, on the second Thursday in November, there is a set election.

*Interjection.*

**Mr Bisson:** No, you guys are fast going there too, Mr Municipal Affairs person. There are at least set terms. The public knows, the candidates know, everybody knows that every three years there is going to be a municipal election in November, and people organize accordingly.

**Mr Michael Prue (Beaches-East York):** Change it to October.

**Mr Bisson:** Well, I'm going to come to that in a second.

There is something to be said about having set terms. I would argue it's high time, in this Legislature in the province of Ontario, and in the Parliament of Canada, that we have set terms, that every four years, in the spring or the fall, on the second Thursday of the month or whatever, there is an election day, and if there's a majority government the Premier cannot manipulate when the election is going to be called.

I was a member of a government that went almost five years before calling our election, and that, quite frankly, was wrong. I don't argue for a second that it was right. Conversely you had, on the other side, the David Peterson government that called an election in less than three years. To me, it's not the way we should be doing things. The people of Ontario vote for their representatives; they vote for the parties of their choice. If there's a majority, they should be given a clear mandate of four years and have the election happen on a certain day. I know we can't address that in this legislation, but I only mention it because we have it on the municipal side.

The other thing when it comes to the election date—hey, I come from northern Ontario—move it back to October. Do you know how cold it is knocking on doors in November in places like Hearst and Longlac? It's snowing.

**Mr Prue:** Daylight saving time.

**Mr Bisson:** A lot of people don't realize that in north-western Ontario they're in a different time zone. You're basically one hour behind everybody else, or an hour ahead—I always get it wrong. If you go that way, it's behind; that's right. The point is that there's an hour's difference. There is something to be said about trying to move the municipal election date back at least a month so it actually happens in October.

Most municipal candidates do their campaigns on the ground. Most municipal candidates do not have the money necessary to advertise on TV, radio and in the papers, put out leaflets and do mailings. Most candidates don't have that kind of money. So the person from the small business sector, the person who works as a municipal employee or whoever decides to run, most of those campaigns are door to door—bring your leaflet, talk to the person in your ward, basically go directly to the voter and talk to them about why you should be their councillor.

It seems to me just a friendly thing we could be doing, maybe not for this election, because we have one coming up in the fall of next year, but for the election after. I would propose that we move the election date back at least 30 days, and that's one of the amendments I'd like to bring forward. I don't think it's an unreasonable request. I think it's something most of us will recognize as probably a good thing. If we move it back a month—not this election but the next one—it gives you an opportunity to at least have your campaign at a time when you can actually knock on doors and not have to wear your snowmobile boots and gloves in some of the places I represent.

The other issue I want to do just quickly—my colleague touched on this, and I think it's important. We've seen from time to time in different communities that somebody makes a complaint that something has allegedly been wrong with a campaign or a candidate's campaign. There may have been wrongdoing when it comes to how the fundraising happened, or there might have been something wrong—

**Mr Prue:** Signage.

**Mr Bisson:** Signage, whatever it might be. When it comes to elections there are all kinds of rules about how a candidate and his or her machine has to operate, and there's no mechanism to deal with that. How my community in Timmins deals with it may be different from what your community does in Toronto. One of the arguments I would make—and I would support the amendment from Mr Prue, the member from Beaches-East York and our municipal affairs critic—is to put a mechanism in that says if there is a complaint, we have an adjunct of the Ontario provincial election commissioner to investigate the wrongdoing, and have the election commissioner or somebody under the election commissioner do the investigation. You don't have to duplicate the bureaucracy; just do it under his office.

He talked about two different cases, one in Mississauga and one in Toronto, where councils took quite the opposite view. In one, the council was fairly diligent in



trying to deal with the issue. They spent hundreds of thousands of dollars to try to deal with the issue. It was very expensive for the municipality. In the other case, in the city of Toronto, they decided not to deal with it when there probably was good warrant to investigate that particular election.

I would argue it would probably be a good thing—and I support the amendment from my colleague—that we refer those matters off to some adjunct or some mechanism under the provincial election commissioner. I think that would be something that could be done. It's not very difficult. It wouldn't be very expensive. In fact, I think most municipalities would support it because it means they don't have to pay for it.

You would have to have some sort of mechanism in the legislation that there's a threshold, obviously, so that you don't have people coming before the commission forcing them to do investigations on something that may not be investigated. But if we clearly spell out the rules, as they normally are, it would be something that the commissioner would be able to deal with.

I just wanted to make the point on the legislation that generally it's not a bad piece of legislation, but we think there need to be a couple of amendments made to it.

I am going to take the last part of this—and I'm not going to go the full 10 minutes, so everybody can applaud now—just to make my comment on my hobby horse once more, and that is the whole need to reform how we elect people here. I believe the way we elect members in Ontario when it comes to our provincial Legislature—I would argue the same federally, but that's another jurisdiction—is wrong.

We have a system that was devised many hundreds of years ago that basically is a first-past-the-post system. We say, "You run in your riding and you can win a seat with 30% of the vote." Then a government could be elected with a majority, in my case with 37% under Bob Rae and 41%, 42% or 43% under Mike Harris—

*Interjection.*

**Mr Bisson:** Oh, 45%. But still not clearly 50%. I have done a lot of reading, a lot of studying. I have talked to many people as I travelled in Europe and different places and I have had an opportunity to speak to many legislators.

*Interjections.*

**Mr Bisson:** You can check my credit card. I paid for it myself, and I didn't eat at Bigliardi's either. I have spoken to many people in different assemblies around Europe and other parts of the world—Australia etc.—and there is a better way of doing things.

What I purport, and what our party purports, is that you move to a system of proportional representation. You could have 103 ridings where you have elections just as we do now. People would be elected according to the same system we have, but there would be one of two things you could do. You could have a system that says that at the end of the election, if the Tories, as in the last election, got 45% of the popular vote, their number of seats would equal 45% of the Legislature. Then the

Liberals and New Democrats would be adjusted accordingly from the process, which makes sure that their proportion of seats in the House would be equal to the proportion of the vote they got.

The other way you can do it is on a two-part ballot, where you say, "I vote for the party of my choice and I vote for the candidate of my choice." So in my riding somebody will say, "I want to vote for Gilles Bisson because I think he is a good representative, and I want to vote for whatever party—New Democrat, Conservative or Liberal—based on my political beliefs." At the end of the day you have a system where the proportional vote is counted on the party's vote and then you make an adjustment accordingly.

I think that would do a couple of things. Number one, it would clearly give the members of the House much more say. That's something I can say, having sat in government and in opposition, we all agree on. It's just the nature of the beast. Most of the decisions are within a select few around the Premier and a couple of cabinet ministers. If you happen to be in the inner circle, hey, that's a heck of a nice thing to have happen, but if you're not and you're a member of the backbench, or you are a member of cabinet in some cases, you may not have that much influence. In the opposition it's the same. At least if you go to proportional representation, the government has to count on all the votes, so each member who comes in here can then have a certain amount of ability to influence the outcome.

The other thing it does that I think is even more important is that if there's something that is controversial before the Legislature—and I'll just use one example: when the government decided to merge the city of Toronto into the megacity, we would have had a debate in this Legislature where the government would have had to have a majority of members vote in favour of the megacity proposal. Even though the government might have been in favour, at 45% of the seats, because they had 45% of the votes, it would have forced the Liberal and New Democratic opposition members to either vote for or against, and the same thing with the government members. It would have made them much more accountable to their individual constituencies, and do you know what? That's not a bad idea.

We all get elected here to do the same thing. I believe all members are honourable. I don't believe that any members in the Conservative caucus, the Liberal caucus or our caucus are here for any other motive than to serve their constituency. But imagine that we can actually restore some confidence and faith to the electors in knowing that their voice, the voice in Parliament that they elected, has some say and has to listen to the people that elected them. So I think those are some persuasive arguments why I think you need to move to PR.

I'll just say in wrapping up that we will probably support this legislation, depending on the outcome of the committee process that we have, because we have agreed to go to committee. We've suggested a number of amendments; others will be coming forward. We look

forward to our time in committee. Pending an agreement in committee on some of the issues we have raised, we will certainly go forward with support for this legislation.

I also understand that I'm the last speaker on this particular bill, according to an agreement that we have, and no further business is going to be called after my speech. Correct? Great.

**The Deputy Speaker:** In the absence, however, of any unanimous consent of the House, a formal one, I am required to ask if there are any questions and comments. Hearing none, I'll open the floor for further debate. Hearing none, then I will now put the question to the House.

Mr Hodgson has moved second reading of Bill 177, An Act to amend the Municipal Act, 2001, the Municipal Elections Act, 1996 and other Acts consequential to or related to the enactment of the Municipal Act, 2001 and to revise the Territorial Division Act. Is it the pleasure of the House that the motion carry? Carried.

By prior agreement, this bill is ordered referred to committee. I call on the Minister of Municipal Affairs to designate which committee.

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** General government.

**The Deputy Speaker:** The bill is therefore referred to the standing committee on general government.

Orders of the day?

**Hon Mr Stockwell:** I move adjournment of the House.

**The Deputy Speaker:** There's a motion to adjourn the House.

All in favour of the motion, please indicate.

Is there anybody opposed?

*Interjections.*

**The Deputy Speaker:** What do you do with that?

Let me try it this way: is it the pleasure of the House that the motion carry?

I didn't hear any nays or grunts, so I will assume that it is the pleasure of this House that we stand adjourned, and we will do so until 1:30 of the clock tomorrow afternoon.

*The House adjourned at 1933.*



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